ROYAL COMMISSION ON UNIVERSITY EDUCATION IN IRELAND.

APPENDIX TO THE FINAL REPORT.

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ROYAL COMMISSION ON UNIVERSITY EDUCATION IN IRELAND.

LIST OF MEMBERS OF THE ROYAL COMMISSION.

Commissioners appointed by Royal Warrant dated 1st July, 1901:—

The Right Hon. Lord ROBERTSON, M.A., LL.D., P.C. (Chairman).

The Right Hon. Viscount RIDLEY, M.A., LL.D., D.C.L., P.C.

The Most Rev. JOHN HEALY, D.D., Lord Bishop of Clonfert.

The Right Hon. Mr. Justice MADDEN, M.A., LL.D., P.C.

Sir RICHARD CLAVERHOUSE JEBB, LITT.D., LL.D., D.C.L., M.P.

Professor S. H. BUTCHER, LITT.D., LL.D.

Professor J. A. EWING, M.A., LL.D., F.R.S.

Professor RÜCKER, D.SC., LL.D., F.R.S. (Resigned).

Professor JOHN RHŶS, M.A., D.LITT.

Professor J. LORRAIN SMITH, M.A., M.D.

WILLIAM J. M. STARKIE, ESQ., LITT.D.

WILFRID WARD, ESQ., B.A.

Commissioner appointed by further Royal Warrant dated 23rd July, in room of Professor Rücker, resigned:—

Rev. Professor R. H. F. DICKEY, M.A., D.D.

Secretary—

JAMES DERMOT DALY, M.A.

TERMS OF REFERENCE.

"To inquire into the present condition of the higher, general and technical education available in "Ireland outside Trinity College, Dublin, and to report as to what reforms, if any, are desirable in order "to render that education adequate to the needs of the Irish people."

ROYAL COMMISSION ON UNIVERSITY EDUCATION IN IRELAND.

APPENDIX TO THE FINAL REPORT.

DOCUMENTS.

I.

Memorandum by Professor Rhŷs on a Department of Irish Studies.

The evidence on the subject of Irish and Irish literature is not very bulky, but it is of far-reaching importance. Of the witnesses to whom we are here chiefly indebted, Dr. Douglas Hyde (Appendix to Third Report, pp. 311-7) and Mr. Edward J. Gwynn (Appendix to Third Report, pp. 333-9) have concentrated their attention on the subject of Irish. We have also had evidence from the Rev. Dr. Salmon, of Trinity College (Appendix to Third Report, pp. 371, 372), the Rev. Dr. Delany, of University College (Appendix to First Report, p. 92), and Sir Rowland Blennerhassett, of Queen's College, Cork (Appendix to Third Report, p. 194); the subject was also referred to by the Right Hon. O'Conor Don (Appendix to First Report, p. 117), and Dr. Michael F. Cox (Appendix to First Report, p. 208). These witnesses are typical in their way, but so far as concerns our inquiry no one of them can be treated as a duplicate of any other, so that when the evidence of all points in one direction, as for instance in the matter of the claim of Celtic to a place among the studies recognised by an Irish University, it cannot be readily set aside. Dr. Hyde proceeds to work with warmth and enthusiasm, by which we mean nothing derogatory, but the reverse, since we regard enthusiasm as a motive power not to be supplied by any amount of negation and criticism. On the other side, the search-light of criticism as directed by the skilled hand of Dr. Salmon helps us to see the range of the possibilities; and Mr. Gwynn takes up an intermediate position of great strength, covered partly by the logic of Dr. Delany's experience. This being so, one has in the interest of clearness to give the lead to Dr. Hyde, the President of the Gaelic League, and its deputed representative before the Commission. The Gaelic League is the body which directs the Celtic movement in Ireland, and that movement has largely to do with the Irish language and its literature: the League and the Movement may be described as follows in the President's own words, p. 311:—

"I think I had better say, before I go further, that the Gaelic League is not a political body, nor is it an industrial body, but it is what I might call an educational body tinged with an industrial strain. Its aim is to reform all education in Ireland, from the National School to the University, upon native and autochthonous lines. It believes that until this be done education will never get a real grip upon the Irish people. The Gaelic League has over 400 affiliated branches, and they are conducting class work, and other teaching, upon these lines—teaching the people to respect themselves, and to know something about themselves, their language, and their history. These branches are to be found in every county and in every city in Ireland. They are comprised of men and women of all descriptions of politics and of all religions. The Gaelic League has never shown the slightest disposition to take part in either party politics or polemics. It reaffirmed this principle unanimously at its last congress. It is an almost purely educational body, whose aim is to develop Ireland from within itself, or, in other words, to make education in Ireland as effective as possible, by developing what is instinctive in the people. We believe that all real education should have its roots in the hearts and feelings of the people; should be such as the people will naturally respond to. We believe that the plastering on of a foreign outside husk, called by courtesy, education, is the very negation of that *real* education which draws out of men and women what is latent in them, because it touches the feelings and the soul."

Then comes the following account of what the League is doing:—

"Started only nine years ago by a few nameless people, the League has, within that period, brought a certain degree of culture, of literature, and of music, home to thousands upon thousands of Irishmen and women, whose ancestors had once been cultured, but who had themselves no culture of any kind, because they had failed to assimilate a culture that was foreign to them. The Gaelic League has, in fact, established a kind of University of its own. Hundreds of pounds are given away in prizes for literature, oratory, music, and singing, at its annual festival, which they call the Oireachtas. It has established summer schools on the American system. It owns a weekly and monthly paper. It owns spacious premises, and a staff of secretaries, organisers, and officers, to which it pays over £1,000 a year. It has now marked out a three years' course in the Irish language, and it will conduct examinations annually; it will give certificates or degrees."

The operations of the League are reviewed next from the publisher's point of view:—

"Now, with regard to literature, it is well known that few books are read in Ireland; publishers regard Ireland as almost a negligible quantity; yet what has the Gaelic League found? The total output of the Gaelic League press last year exceeded a quarter of a million books and pamphlets (of course, many of them primary books published at cheap prices, but not all of them; for many were *editiones principes* of Irish poets never published before), and the total *sale* almost touched 200,000. Almost the only business done in Ireland in the publishing line is done by the Gaelic League in Irish, although the Irish speakers are only one in seven, or so, of the entire population. All the native and energising culture of Ireland lies with them. And how has the machinery for all this been financed? It has not been by the great or by the wealthy I assure you. It has been by the pennies of the poor. When, in the month of March last, we set aside the week upon which fell St. Patrick's Day to make an appeal for funds to the people, the people subscribed to us about £2,000, of which over £203 was collected in pennies, halfpennies,

and, I believe, hundreds of farthings as well, and sent to the bank in copper. Now, why is this? Why have we seized such hold upon the popular imagination? Why have we been enabled, with only the pennies of the poor behind us, to organise so huge a scheme of teaching? It is because we are giving in return something that is appreciated. It is because we are making Ireland interesting for the Irish; because we are appealing to the national factor in education."

Later, after stating that the Gaelic League is publishing a large amount of Irish literature every day, he adds words (p. 316) to the effect that the only writers of books in Ireland at present seem to be Irish-speaking people.

The last point, however, is elaborated in another paragraph (p. 311), more especially in its relation to Irish culture, as follows:—

"The Gaelic League has the best possible reason for believing that if Ireland is to become a really cultured country, and an artistic country, she must cease to imitate, and must take up the thread of her own past, and develop from within upon native lines. The moment Ireland broke with her own Gaelic past (and that is only a few score years ago), she fell away hopelessly from all intellectual and artistic effort. She lost her musical instruments, she lost her music, she lost her games, she lost her language and popular literature, and with her language she lost her intellectuality. The attempt to impose foreign games and music and poetry from outside, in place of what she has lost, has been futile. The harp and the bag-pipe may have been extinguished, but it is only to have their place taken by the concertina and the melodeon. The game of hurling may have been largely wiped out, but the game of cricket has never been substituted for it. The poems of Ossian and of Owen Roe are, indeed, forgotten, but have they been replaced by Tennyson or Wordsworth? They have been replaced by nothing. We had in Gaelic Ireland an art which evolved a school of design that was distinguished throughout Europe, and whose remains (to be seen to-day only in our museums and our ruins) testify as well to the marvellous skill of the craftsman, as to the genius of the artist. To-day art has utterly disappeared, and we believe that in consequence of its disappearance even our industries have suffered."

In answer to a question as to the art of making coloured glass for church windows, an article which is understood to be now largely imported from Germany, the following words of Dr. Hyde's are worth quoting, p. 315:—

"As you have mentioned that, I may say we have established now in Dublin a school for the production of Irish art glass which, I think, will at least equal and probably beat the continental school, and it is interesting, from my point of view, to remark that the man mainly responsible for the establishment of that school is a product of the Gaelic League, Mr. Edward Martyn, of Tillyra Castle, who, having become a Gaelic Leaguer, and learned to read Irish, took a chief part in establishing this school."

How the language movement and the industrial movement join their forces may be gathered from the following passage in the witness's evidence, p. 312:—

"The Gaelic League has been steadily actuated by the belief that in this country education must be intellectually nationalised, and that it will then, but not till then, re-act upon our economics. The very deep and real economic movement, which is taking a grip upon Ireland, in the form of dairying and banking societies, and home industries, whose members number, I should say, close upon 70,000 people, has instinctively sought for and found support from the intellectual movement. Having first succeeded in founding economic and dairying centres, people speedily discovered that to increase their economic effectiveness, they must stimulate the interest of their supporters all along the line of national development, and it is the commonest thing for these societies to strengthen themselves by grafting our intellectual movement on to their economic one, and thus, in connection with what was primarily an industrial movement, we find a revival of the native dances, music, and language, and the establishment of village libraries full of Irish books, as a glance at the reports of the branches in any number in their organ will show. The development of these social and intellectual activities cannot fail to have an important effect in staying the emigration of the people from the country to the towns, which, I believe, is such an important problem in English life to-day. Unhappily our town is America. Make Ireland intellectually interesting, and the people will desire to live in it and develop it. We believe that one great cause of our decayed industries, and dwindling population, is to be found in the fact that our education from highest to lowest has been an education for export and not for home consumption."

The foregoing extracts will suffice to explain the history and development of one of the most remarkable movements of our time, and to show what an important rôle is played in it by Irish and Irish literature. It has so far evinced no tendency to become political, and taken as a whole it is calculated to strengthen materially the Irish nation at a point where its history shows it to have sometimes betrayed symptoms of weakness, namely, in the matter of national self-respect. On this important point Dr. Hyde is at one with the Right Hon. Horace Plunket, p. 240, q. 8736.

Confining myself to the language portion of the movement, I find it impossible to say how far the revival of Gaelic is going to extend itself, or what its effect will be on the Irish language itself. These, however, are not questions which require to be answered here; but lest Dr. Hyde may prove to have pitched his expectations somewhat too high, I proceed to quote on the other side the cold reasoning of Dr. Salmon. Having traversed what he terms a current of misrepresentation, to the effect that Trinity College has been opposed to the study of Irish, he made use of the following words, pp. 371, 372:—

"But it must be honestly confessed that it is only as a dead language that we have cultivated Irish, and it must also be confessed that, to the great majority of the inhabitants of this island, Irish *is* a dead language; and this truth is acknowledged in the phrase that has now become common, that an effort ought to be made for the *revival* of the Irish language. With this cry I have no sympathy, believing as I do, that the thing aimed at is now impracticable, and that if it could be effected it would be at immense injury to the material prosperity of the country.

. . . . . .

But, in any case, it is now too late to make Irish supersede the vernacular use of English, which has now become almost universal in this island. You cannot make men unlearn a language which they have been taught at their mother's knee, and which all around them are speaking.

. . . . . .

It must be remembered that the vernacular use of Irish has not the support which that of Wales has gained from some kind of literary use of the language. There are in Welsh newspapers, Welsh translations of the Bible, Welsh religious tracts; but there is nothing corresponding to this in Ireland, where the people who habitually spoke the old language were those who could neither read nor write, and a placard in the old language would be as great a puzzle to an Irish peasant as to an English stranger.

. . . . . .

Even those politicians who desire to make the Celtic the national language could not gain any influence, or even get a hearing, but for their having acquired an expert use of the English language. Of course, the necessity of a knowledge of the Celtic languages to the students of Philology must secure those languages a place in University Education."

As to this evidence, I may say that I agree with Dr. Salmon in believing it both undesirable and impossible to supersede the vernacular use of English in Ireland. On the other hand I am disposed to think that he possibly underestimates the force of the Gaelic Movement; but I welcome his admission that the Celtic languages must have a place in University Education, to wit—in the interest of the students of Philo-

logy. This was also the view of Sir Rowland Blennerhassett, when, p. 194, he used the following words:—

"I first realised the importance of Irish for the study of the science of language from reading the works of Max Müller, and other eminent writers, mostly German, on Comparative Philology."

The question has now to be considered, what staff of teachers an Irish University or an Irish College giving University Education would require for the purposes of Celtic, and of Irish and Irish Literature more especially. In answer, I may give the first place to Dr. Delany's evidence, as empodying the actual practice at University College. On being asked about Father Hogan, the Professor of Celtic, and his work at the College, he replied as follows, Appendix to First Report, p. 92:—

"He is chiefly engaged in bringing out Irish texts and vocabularies. The initiative in his appointment was taken by the late Dr. Sullivan, President of Queen's College, Cork. He suggested to the Senate the appointment of Father Hogan on account of his remarkable knowledge of old and middle Irish. He thought it important that Father Hogan should be in a position to pursue those studies, and to bring out texts, and to train promising Irish students."

Dr. Delany went on to state that Father Hogan is under obligation to lecture, and that he has a few pupils, consisting of Honours men and distinguished students. Then he added the words—"The other studdents are taught by some one else." Here one has at least two teachers of Irish in a college on the scale of that over which Dr. Delany presides; and it may be regarded as a minimum below which no authoritative recommendation should be allowed to fall. At any rate, it would not be valid criticism to say that the University of Dublin, working on a larger scale, finds it enough to have only one professor and one lecturer in Irish, seeing that Celtic is not accepted as a subject of study for the ordinary degrees of that University, whereas it cannot be conceivably excluded from any such a University or University College, as that contemplated by the Commission, or by our witnesses in the evidence in point. Moreover, the facts as to the University of Dublin and Trinity College would have to be more adequately stated as indicated by Dr. Salmon when he pointed out, Appendix to Third Report, p. 371, what had been done for Irish studies by his College in the past and what is being done at present, by one of its Professors, Dr. Atkinson, and by one of its Junior Fellows, Mr. Gwynn. To these two another of the Junior Fellows, Professor Bury, must now be added by reason of his recently published studies in the history of St. Patrick. In other words, Trinity College, so far from confining itself to maintaining a professor and a lecturer in Irish, happens at the present moment to have besides them three of its most distinguished members engaged in furthering Celtic studies in the domain of the Irish tongue, Irish literature, and Irish History. That one at least of the three, Professor Atkinson, has been thus engaged for many years, may be mentioned as a set-off to the fact, that since this memorandum was drafted, Professor Bury has been appointed to a Chair in the University of Cambridge.

To come back to the Gaelic League, Dr. Hyde urges, p. 315, the desirability of the University being left perfectly free to respond to Irish sentiment and to treat the Celtic languages generously in the matter of scholarships. In order to utilise what he terms the national factor in Irish education and to place the University in touch with the national life, he urged, p. 312, that its constitution should be drafted on the lines of that of the democratic University of Wales. He goes on to say, p. 314:—

"That this may be done, the League desire that the popular element, either through itself and the County Councils, or some other medium, be allowed to nominate a certain proportion of the Senate of any new University that may come into existence as the result of this Commission; thus, in all probability, securing that a certain proportion of the men nominated on the Senate be men of recognised scholarship in Irish. If the Senate has not the confidence of the rank and file of the Irish nation . . . . . we would just as soon have no University at all. We want broad-minded men upon the Senate, and men of Irish sympathies, who will understand us, and know how to make us respond to the education they are to offer us. We do not want wealthy dignitaries and country gentlemen, nominated by the Castle out of mere compliment to themselves. We press now for a University that shall be Irish in the fullest and broadest sense of the word."

Having received these and other suggestions as to the constitution of a new University from Dr. Hyde, we asked him as to the staff which that University would require for Irish subjects, and were told, p. 315, that he thought a Professor of Ancient Irish and another of Modern Irish would be "absolutely necessary." In his reply to the next question, he added a Professor of Irish Antiquities, and in so doing he mentioned his having received from a continental Celtist a letter urging the desirability of having, at least, three such Chairs established in the University.

I have already alluded to Mr. Gwynn. Speaking now of his evidence as a whole, I may say, that it gives a carefully considered and comprehensive survey of the position which Celtic ought to occupy in the curriculum of an Irish University. He distinguishes throughout between Irish as a special study and Irish as a part of the general curriculum. He sees, p. 335, difficulties of the gravest kind in the way of bringing it into the general curriculum, especially modern Irish, with its "most disastrous lack of uniformity and fixity in the laws and practice of pronunciation, orthography, and even syntax," a lack which he regards as due partly to the neglect of Irish as a literary language, and partly to the existence of different dialects. With regard to those who promote the language movement, he points out, p. 336, that "what they must look for in a University Professor is not merely a fluent command of the spoken idiom (though that is most desirable), but a knowledge of comparative grammar in general, and of the historical development of the Irish language in particular."

On the other hand, Mr. Gwynn is at one, pp. 334, 335, with the promoters of the Gaelic movement, (1) in holding that the study of Irish "both deserves and requires encouragement such as a University foundation can give"; (2) in maintaining most insistently that the Irish language has special claims on an Irish University; and (3) in regarding as an academic asset the Irish feeling in favour of the language. The following are his words:—

"Though it is no longer the national speech, yet a strong feeling for it survives, and is shared even by many of those whose forefathers never spoke the Irish tongue. Such a feeling should be a powerful stimulus to the study; I do not mean merely by promoting the sale of books on the subject, and such forms of popular support, but (a more vital matter) by turning the minds of students in this direction. This is not the place to insist how much the knowledge of our past might do to foster the true feeling of nationality, in which, as a nation, we are so much wanting."

The self-evident claim of Irish on an Irish University did not strike Mr. Gwynn as requiring to be elaborated, but he has gone very thoroughly into the reasons why Irish and Irish literature deserve the encouragement which an Irish University could give. I make the following extracts, though I cannot thereby hope to do justice to his logic and clearness, pp. 333-5:—

"At this time of day it should not be necessary to insist on the high value and interest of Celtic studies. The Irish language in particular possesses a literature vast in quantity, and extending in unbroken sequence over, at least, twelve centuries. As to the quality of the literature and its value as Art, opinions differ widely, as they generally do, in questions of taste. For my own part, though I cannot rank it with the greatest literatures—the Greek, say, or the French—it seems to me to contain much that must be placed very high . . . . . one may say that the older tales are generally marked by the true epic manner, simple, unbookish, and yet impressive. Everywhere there are scenes full of vivid drama and picturesque description; there is admirable lyric poetry; above all there is in the style, in the turn of imagination, in the habits of thought and feeling, a distinctive quality, more easily felt than reduced to words, which is the stamp of the national character, and which gives the literature its unmistakable *individuality*. Apart from its æsthetic qualities, the literature has other kinds of interest, not yet sufficiently developed. It

has great importance for anyone who may undertake to write the History of Ireland. That history has, till now, been written from without: the true history must be written from within. It begins long before the English Conquest. . . . . Both the internal and the external History of Ancient Ireland require to be elucidated . . . . . It is well known how important a part Ireland played from the sixth century onwards as the guardian and missionary of culture; and there is still much to be learnt as to the influence exerted by her literature and learning on the other nascent nationalities.

"Our Archæology is still very crude and unscientific; it must advance along with the literary investigation; it may be hoped that here, as in the case of Greece, the one study will illuminate the other. . . .

"Modern philologists are agreed as to the eminent value of the Celtic languages for linguistic science; and among them Irish is of pre-eminent importance. . . . . .

"There is another obvious reason why Irish studies should be especially encouraged here, and that is, that we command facilities denied to continental scholars. The living tongue is about us, a most necessary adjunct, even though not the main end of University study; the chief and the greater number of the MSS. are in Dublin libraries; the archæology can hardly be understood unless studied in Ireland."

I now come to Mr. Gwynn's practical suggestions; and first comes the order of studies which should be pursued. His words are, p. 335:—

"I regard the older Irish as the main focus of interest, but it should be approached through the modern; or, rather, the oldest form of the tongue and the modern should be studied concurrently. We must proceed from the known to the unknown; in this case the unknown may be said to lie in the middle, between the oldest Irish and the tongue as now spoken. The concurrent study of the older language seems to me necessary for any thorough understanding of even the modern tongue."

When asked later as to the teaching he contemplated in these subjects, his answer was to the same effect, p. 336:—

"I think the arrangement we have in the University of Dublin is a good one. We have a lecturer in Celtic, who is understood to specialise on the older language, and we have a Professor of Modern Irish as well. That seems to me, if it could be done, the best way of settling the question."

The same idea, a little differently expressed, comes also in answer to a later question, p. 338:—

"If the thing could be done I should prefer one man who would take Modern Irish as his field, and one who would take the ancient language as his field; but I don't think that either of them ought to be ignorant of the field of the other. I don't believe in over-specialisation."

Lastly, when asked as to a Chair of Irish History, Mr. Gwynn's reply was the following, pp. 336, 337:—

"I suppose that is a question of ways and means, partly; I think I should prefer, if you had a separate Chair, to have a Chair in Irish Archæology, because Irish History is so much involved in English History."

To this should be added, that Mr. Gwynn, in his next answer, accepted the view that the Chair of Irish Archæology would, to a certain extent, cover the study of Irish history.

Reviewing this evidence, one must regard the unanimity of suggestion as very striking on the part of men setting out, each from a point of view of his own, and especially in the case of the two witnesses, who may be regarded as giving expert evidence, Mr. Gwynn and Dr. Hyde. The latter is more positive than the former, who appeared to be restrained by practical considerations as to ways and means. If allowance be made for that difference, they may be said to be absolutely of one mind as to the University staff requisite for the teaching of the group of Celtic subjects. For my part, I am convinced that their judgment is sound, and that the Irish University should have, at least, three Celtic Professors, namely, two for the Irish language—including, of course, Irish literature—and one for Irish Archæology. Further, it is my opinion that if the Department of Irish Studies is to be equipped adequately, not to say handsomely, there ought to be a fourth Professor, whose field should take in the early history of Ireland, including the difficult subjects of the law and the customs of the ancient Irish, as well as the extensive ground covered by the lives of the old Irish Saints. Such a Chair might be more briefly described as that of the pre-Norman history of Ireland, which the labours of writers on English history cannot, as a matter of course, be expected to elucidate, except in a sporadic and desultory manner. I abstain from making any suggestion as to the treatment of Irish paleography and epigraphy, or that of ancient Irish art, as well as that of later Irish history generally. For I presume that the University, once properly constituted and adequately endowed, could hardly fail to provide for these and kindred subjects of study in response to a national demand, which has not been made on their behalf before the Commission.

II.

Extract from a Memorandum by Mr. Wilfrid Ward on Some Aspects of the Religious Difficulty.

It seems to me impossible to do full justice to the attitude of the Irish Catholic bishops, which is at the root of our difficulties, without recalling a few past facts which we all know, but the full bearing of which we may sometimes forget.

The problem before us is, of course, allied to that which is occupying Parliament in reference to primary education. It is a consequence of the great revolution in education effected in the nineteenth century, of transferring it from the representatives of Theology (the clergy) to the representatives of Science—that is the specialists in all departments. Not among Catholics only, but universally, the universities were, during the first forty years of the nineteenth century, in the hands of the established Churches. A boy who was educated at Trinity College, Dublin, or at Oxford, in 1830, was educated almost entirely by clergymen. Now he is educated almost entirely by specialists, their being lay or clerical being an accident. The various Dissenting bodies also at that time educated their own people who were refused admission in the great Universities. Education was universally "denominational" and ecclesiastical. Now it is in its higher grades almost universally undenominational and secular.

Most of us, I suppose, think of this state of things mainly as an advance in justice to all denominations, and in the emancipation of educational methods from fetters which were antiquated. We do not regard it as hostile to religion. But in point of fact (as we all know) the movement which effected this transformation was largely anti-theological, and even in some of its manifestations anti-religious. If it included a sense of the justice of equal treatment for all creeds, and a sense of the liberty necessary for Science, it also included some of the anti-Christian spirit of Continental liberalism. The movement was inspired by a love of liberty and a hatred of its enemies—bigotry and privilege. And these enemies were supposed to be represented in concrete form by the established Churches—the embodiments of ecclesiastical privilege and clerical interference—and especially by the Church of Rome, the surviving representative of mediæval intolerance. The Churches, then, in turn, had to be on the defensive. Two ideals of education were competing, the denominational or ecclesiastical, which threatened to be obscurantist, and the undenominational or scientific, which threatened to be irreligious. The proposed Queen's Colleges were inevitably associated in the minds of all with the latter.

And what was the concrete exhibition of the new movement which the Irish Bishops had before their eyes in the very years (1845-1850) during which the proposals as to the Queen's Colleges were threshed out? They saw it in Oxford itself, as the rapid transition of its intellectual character from a religious and theological to a freethinking tone. The Oxford of 1845 was conservative and ecclesiastical. The heads of houses were all clergymen. There were few laymen even among the Fellows. The Tests were in force. The Theological party which condemned the mild liberalism of Dr. Hampden was still in the ascendant. The Oxford of 1850, on the other hand, was liberal and secularist. In 1845, after Newman's secession, with dramatic suddenness, Theology went out and Science came in as the ruling principle of the academic mind. "We were startled," says Mark Pattison, "when we came to reflect that the vast domain of Physical Science had been hitherto wholly excluded from our programme. The great discoveries of the last half century in Chemistry, Physiology, &c., were not even known by report to any of us. Science was placed under a ban by the theologians, who *instinctively felt that it was fatal to their speculations.*" This conception of Science as fatal to Christian Theology was the keynote of the sudden transformation which ensued. "Whereas other reactions accomplished themselves by imperceptible degrees, in 1845 the darkness was dissipated and the light was let in in an instant." A "flood of reform" followed, "which did not spend itself until it had produced two Government Commissions, until we had . . . . . remodelled all our institutions. In those years every Oxford man was a Liberal." "All the intellectual force in the University," writes another witness a few years later, "was on the negative and anti-Christian side." "In the first rush of intellectual freedom," continues Mr. Pattison, "we were carried beyond all bounds, sought to change everything, questioned everything, and were impatient to throw the whole cargo of tradition overboard . . . . . Our *élève* resembled that *gamin de Paris* of whom Renan says *ecarté par une plaisanterie des croyances dont la raison de Pascal ne réussit pas à se dégager*, and which it took Renan himself six years to work his way out of." (Appendix to First Report, p. 315).

The suddenness and completeness of the triumph of the liberal movement in Oxford brought into relief the various elements of which it was composed. The secularising and anti-theological tendency, the agitation for the withdrawal of Tests, the growth of specialism were parts of a whole. The undenominational movement has been the *practical* expression of the liberal and scientific movement. And in the eyes of leading men of Science, and of many others, the transformation which has been effected in the nineteenth century from the old education by the parsons to the new education by the specialists has implied the recognition to a greater or less extent of the fact that the theological explanation of the world and of life has been defeated, and the scientific view has taken its place. "I conceive," wrote Huxley, "that the leading characteristic of the nineteenth century has been the rapid growth of the scientific spirit, and consequent application of scientific methods of investigation to all problems with which the human mind is occupied, and the correlative rejection of traditional beliefs, which have proved their incompetence to bear such investigation." (Life II., 374). Denominationalism is, in this view, narrow and retrograde, because it implies a check on the free development of the scientific method in the interests of traditions which are superstitious.

A part of the change in intellectual tone in Oxford, as elsewhere, was in that indefinable quantity the "atmosphere"—from the atmosphere of the Oxford of Newman to that of the Oxford of Jowett. But there were also some definite particulars in which the aggressions of Science on the then existing Theology directly affected the subjects with which professors and tutors had to deal in the educational programme. The following are a few well-known instances:—

(1.) Biologists and Ethnologists, even before the early evolutionists attacked the dogma of creation, had assailed the Scriptural account in Genesis of the descent of all men from a common ancestor.

(2.) So, too, Geologists attacked what was generally received as the Bible's teaching on the antiquity of the world.

(3.) The empirical Philosophy in the hands of Mill and Bain was avowedly anti-theistic. It attacked, both in Ethics and in Metaphysics, the intuitionist basis of a theistic Philosophy. Dr. M'Intosh, of Queen's College, Belfast, one of J. S. Mill's chief opponents on this particular point, in regarding his own lectures on Philosophy as a religious work (7561), represented the prevalent idea on the subject—still prevalent up to 1870—that the "experience" Philosophy was in direct and necessary opposition to the philosophical basis of theism.

(4.) The Philosophy of History was in those days a prominent subject. Mr. Wyse contemplated its being taught at the Queen's Colleges.* Mr. T. W. Allies actually did lecture on it at Dr. Newman's Catholic University. The events of the French Revolution and the dramatic career of Napoleon had given a great stimulus to this study. Frederick Schlegel and Hegel, De Tocqueville and Guizot, Chateaubriand and the German Romanticists were all in different ways witnesses to this tendency. It figured, too, in different forms and

* *Appendix to Second Report*, p. 186.

degrees in the writings of Lamennais, Bonald, Möhler and Newman from a Catholic point of view. It is clear that while the critical study of History, in which the writer or professor is intent on the evidence for isolated facts, and is very sparing of generalisation, is not contentious, the Philosophy of History is almost inevitably so. One Professor bases his whole account of the development of the Christian Church and of secular history on the naturalistic view which underlies the works of Gibbon and Hume; another treats the same subjects on such principles as those of Allies' Dublin lectures on the "Formation of Christendom." Either treatment is likely to have a deep effect on the religious faith of a thoughtful young man.

When the battle between the two ideals—the theological and the scientific—was at its height, there is no doubt that the incursion of the new methods associated with Physical Science and History, and the new view of the world which they brought with them, did vitally affect the religious beliefs of thinking young men. Such names as those of Matthew Arnold, Mark Pattison, Arthur Clough, and J. A. Froude remind us of a mental history which was typical of that of many others less known to fame. Theological and scientific problems, questions as to what it was reasonable to believe, were in those years constant subjects of discussion. Matters we now keep to ourselves or debate only with a few intimate friends, or regard as beyond the reach of useful discussion, were then a constant theme of conversation in common rooms or in general society. Aubrey de Vere writes to Sarah Coleridge in the forties that "everyone is talking Theology"; everyone was defining his *Weltanschauung*. Such conversations in the Oxford which was ruled by Newman's genius brought many to Tractarianism, many to Roman Catholicism, many to the views of Arnold and Whately. At a later time they landed very many in various stages of free thought. The secularist atmosphere, which under the influence of the scientific pioneers expelled the old ecclesiastical atmosphere of the Universities, *did*, as a matter of fact, take from many of the young men whose minds were of a speculative cast all effectual belief in Christianity. And such a wave tends to be corporate. Newman has placed it on record that it affected many of the young men who came in the fifties to his Catholic University in Dublin. Those whose minds in other circumstances would have been quite unspeculative were caught in it.

To all this must be added the fact that in Ireland "mixed" education had for centuries been offered to Catholics, accompanied by proselyting attempts (6947), and that even the "national" system of primary education had been regarded by Whately as a probable instrument of winning Catholics from their faith. Again, in such countries as France and Belgium, the undenominational Universities were avowedly free-thinking. Even so religious a man as Lacordaire ceased to be a Christian during his University career.* "Mixed education" meant at these institutions positively anti-religious education. Until the passing of the Falloux law in 1850 effected a compromise between the State and the Church, all University Education recognised by the State in France was in the hands of opponents of Christianity. To this fact Dr. Cullen, from his foreign education, was especially alive. And Dr. Newman, in a memorandum on his relations with Dr. Cullen, notes that the Irish prelate always tended to identify the English and Irish "liberalism" with Continental liberalism.

In this state of things the Irish Bishops were inevitably suspicious, as representatives of Theology, as Catholics, and as Irish Catholics; and it can hardly be denied that, whether their action in 1846 and 1850 was entirely wise or not, there was good reason for their anxiety as to the effect of the liberal and secularist movement of the hour on religious faith. That anxiety was shared by some of the ablest and most religious men in the Church of England, and long survived in such representatives of the old Conservative Oxford, as Dean Goulburn and Dean Burgon, in a form quite as uncompromising as it took in Cardinal Cullen.

The outcry raised that the Queen's Colleges were "godless" seems, in view of the important evidence brought before the Commission by Dr. Starkie, to have been exaggerated. It was indeed explicable, because at that time an undenominational University was, as Bishop O'Dwyer has pointed out, a novel experiment. The Queen's University was the first University established in the kingdom on a *de jure* non-religious basis—if one may so express it. Still, as Sir James Graham said (Appendix to the Second Report, p. 187), "The Government contemplated the foundation of halls in which religious instruction would be imparted." So, too, said Sir Robert Peel: "We have given the Catholics every facility for religious instruction." The Board of Visitors also was provided for the object of safeguarding the religion of undergraduates.

The Bishops, however, did not originate this cry, and indeed did not, as we know, in the first instance, positively oppose the measure. They only sought to make the religious safeguards adequate. They suggested the four amendments enumerated by Dr. Starkie—the first demanding a fair proportion of Catholic Professors, and guarantees of due influence for the Catholic Bishops in the appointment of Professors; the second asking for dual Chairs in History, Logic, Metaphysics, Moral Philosophy, Geology, and Anatomy; the third demanding the dismissal of any Professor or office-bearer convicted of trying to undermine a student's faith; the fourth asking for a salaried dean or chaplain.

It is to be noted that the proposed dual Chairs were precisely in those subjects which, though not directly religious, were at that time notoriously the battleground of religious controversy, and the means of imparting anti-Christian theories. Their supposed anti-theological bearing was urged by their most eminent exponents. Even so moderate a man as Mr. Wyse endorsed the claim for two Chairs so far as Moral Philosophy and the Philosophy of History were concerned.

Dr. Newman was, I think, the first who made quite clear, what most of us now recognise—how distinct were the different elements which were united in the "liberal" and "undenominational" movement. The recognition of the claims of Science to be emancipated from theological interference, and concomitantly of the practical necessity of toleration and equality for the various denominations and for the varieties of belief which the advance of thought was constantly increasing, was one thing. Quite distinct in essence was the directly secularistic and irreligious movement, similar to Continental free-thought, which disparaged not only the undue interference of Theology, but Theology itself, and was jealous not only of ecclesiastical encroachment or privilege, but of all clerical influence. But as we have seen in the case of Oxford the two were united to some extent practically. The general lines of Newman's proposed solution of the difficulty raised by the scientific movement, with its just claims and its practical excesses, consisted in the presence of Theology in a University, concomitantly with Science, to represent aspects of the human mind and of the universe which the scientific habit disparaged or ignored, and a mutual toleration and principle of non-interference between the two, in place of the old censorship of Theology over Science. He advocated also Catholic (denominational) influences of a religious kind, not interfering in any way with the freedom of any branch of study to pursue its own methods, and not for the most part of an intellectual or theological nature. Moreover, he was in favour of a strong lay element in a University for Catholics, to represent educational interests to which Churchmen, from their antecedents, were likely to be less alive. A word more shall be said shortly on this subject.

The secularist movement, which was long and successfully engaged in mitigating an excessive ecclesiastical and theological predominance, seems now in many quarters to be receiving a modification in the direction indicated by Newman. We have gradually come to realise that positive religious influences, while desirable for the highest educational interests, *need* not be prejudicial to the freedom demanded by the sciences. *And we see that practically religious influences will only be strong and effective where they are denominational.* This is now openly avowed by many in the case of primary education, and I think often tacitly admitted as to secondary.

The solution whereby religious influence has been to a large extent preserved in the English Universities, and whereby at the same time undue ecclesiastical privilege is avoided and theological interference with Science prevented, has consisted in an English compromise, namely, the blend which arose from undenominational legislature on a strong basis of *de facto* religious tradition and institutions—that is, the union of *de jure* undenominationalism with *de facto* denominationalism

* See Chocarne's "Inner Life of Lacordaire." pp. 17–45. Lacordaire speaks of "the doubts which I had drawn in with the very air of the University," and adds, "I left college with my faith destroyed."

of a more or less pronounced description. Thus at Oxford the secularist and anti-religious spirit described by Mark Pattison did not prove permanent. The religious tradition of the place asserted itself again in such men as Scott Holland, Liddon, Gore, and others—T. H. Green's idealistic philosophy being a serviceable bridge for the return journey from the Liberalist contempt for the study of Divinity to a more or less scientific Theology. *Lux Mundi* and Aubrey Moore's Essays mark the theological revival and development wrought out by giving free play to scientific method as a corrective to strong traditions, in which religion was deeply rooted in a prejudiced form—traditions which in turn asserted themselves in a modified and intellectually defensible form under the influence of Science.

This blend is considered by many to have been the ideal before Peel's mind when he proposed to found the Queen's Colleges, and with that ideal both Dr. Delany and Dr. O'Dwyer have declared themselves to sympathise. But in 1845, as Dr. O'Dwyer has pointed out, the experiment was new, and the evidence we now possess of its possible success did not exist. And even apart from this, in brand new Colleges *without* the religious traditions and institutions of Oxford or Trinity College, Dublin—which asserted their influence automatically—the requisite *de facto* denominationalism which Peel is held to have designed, had imperatively to be secured by some reliable means. To this task the Bishops devoted themselves.

In the event Peel's scheme was not carried out. Neither the Bishops' nor Mr. Wyse's proposed amendments were accepted. And no other satisfactory means of ensuring due religious safeguards was devised. At the very least, the promise of Lord Clarendon, that "the Catholic religion will be fully and appropriately represented" in the appointment of Professors in the Colleges of Cork and Galway, seemed indispensable to the *de facto* denominational predominance which local circumstances demanded. If I am not mistaken, the Presbyterians at Belfast *were* given the safeguard they required—that is to say, their claims were fully considered in the appointment of the Professors. With the Catholics it was otherwise. A change in the Ministry was, no doubt, partly responsible for the neglect in carrying out solemn assurances. But, in the event, only three out of twenty Professors at Cork were Catholics. Thus a College in one of the most Catholic districts in Ireland was to have its whole trend of thought determined mainly by non-Catholics. And the College was predominantly under the control of those who were always felt to be representatives of the Protestant minority garrison which held the power and wealth in a country mainly Catholic. In Galway the case was similar. Moreover, the Bishops were denied the right —which in Colleges so constituted might be really vitally necessary to exercise—of preventing teaching which was dangerous to Catholic faith. We cannot doubt that the failure on so vital a point as that of the due representation of Catholics in the teaching body, to carry out the assurances of Peel and Lord Clarendon, brought home to the Bishops how little they could rely, in matters which to them from their office were essential, on an English Protestant Government.

In this condition it may fairly be urged that the Bishops had a very real grievance. Still, in view of the vital necessity of University Education for Irish Catholics, the sympathies of many of us will be with the minority who wished nevertheless, under every disadvantage, to try and work the Colleges. Dr. Newman has stated, however, that in 1853 he found the majority of Irish Bishops not at all alive to the importance of University Education for Catholics. And when we observe that the extreme measure which killed the Colleges—of visiting with canonical censures any priest who became officially connected with them*—was passed at the Synod of Thurles by a majority of one only, we may fairly conclude that all those who represented the best intelligence of the Episcopal Bench were opposed to carrying the opposition to the Colleges to a point which caused them to fail. I conclude then that the Queen's Colleges were very unsatisfactory but that Dr. Murray was right in preferring them to the absence of any University Education for Catholics.

The position of things is now very different from what it was in 1845-1850. Education is becoming more and more practical, technical, the affair of specialists. The attempt to argue out the grounds of religious conviction and its bearing on Science is far less common. In many societies such discussions would be very unpopular. The whole subject is seen to be too vast and Science too young for a satisfactory synthesis.

The intellectual temper in the Universities has thus largely changed. There is a truce between the parties which fought so keenly. Science is no longer directly aggressive. It is much less occupied with speculation on the borderland between itself and Theology than it was thirty years ago; and Theology has adapted itself largely to the scientific movement. The anti-religious theories which are still mooted are less liable to affect the methodical *curriculum* of a University. There is less time or inclination for polemics now than in the forties. The particular form in which a student in a University now becomes acquainted with Physical Science, and even with History, is far less likely to touch on dangerous ground. Such is the general change in the situation. And it directly affects those elements in the subjects taught which I have above described as being in 1845 from the circumstances of the time controversial.

(1.) Educated Christians, including the best Catholic Professors and thinkers, have learnt to apply to Scripture very widely the lesson long ago taught in one department by the Galileo case. That is to say, they have come to be very slow in affirming confidently that Scripture really teaches what Science or scientific criticism appears to deny. On the contrary, they look to Science and criticism in many cases for the true explanation of natural phenomena with which Scripture deals, and interpret Scripture in accordance with such an explanation.

(2.) Philosophy is taught far less aggressively or dogmatically and History far less theoretically now than in 1845. In the forties, Kant was regarded as anti-religious—as the prophet of scepticism. Now, he is regarded by many Christians (including eminent Catholic philosophers) as opposing primarily an old and somewhat inadequate religious philosophy, and as aiding in the formation of a new one. Hegel was regarded as before all things a pantheist, and therefore an anti-theist. Now, we have the Christian Hegelians pointing out the profoundly Christian trend of his later teaching. And, concurrently with this, we have broken down the opposition between the "experience" school and the "intuitionist" school by a more general appreciation of Hegel's larger conception of "experience." Further, this wider conception has been seen to afford a theistic interpretation of many ideas of Spencer, and to suggest (as Professor Caird has shown) a theistic development of Comte himself. We do not regard either Spencer or Comte as any more satisfactory than our ancestors regarded them, but many upholders of Christianity have come to maintain that those ideas, in virtue of which their systems had life and power, are capable of being absorbed into a deeper philosophy than their authors themselves contemplated.

While such results perhaps make humorous critics smile at the tergiversations of Philosophy, and talk of Metaphysic as "a dog chasing its own tail," they bring home to those who believe in Philosophy the partial and non-final character of all speculative systems. The cast of thought is on the increase which holds that faith touches deeper springs of conviction than any defined philosophical system can adequately test: and in place of confidently denouncing each new system which is advanced on the ground of its *prima facie* opposition to portions of the mediæval scholasticism, most of us are, I think, learning rather to look first for its points of contact with religious faith. This change affects the best exponents of the Scholastic Philosophy itself. The manuals both of Father Maher and of Mgr. Mercier show great appreciation of the historical position of the Philosophy with which they are primarily concerned, and a disposition to do full justice to its affinities with other systems, and to treat it historically rather than dogmatically.

(3.) In History the weight is shifted from its philosophy to the detailed study of periods, and the principles whereby evidence should be sifted. Large views are out of fashion. Among the best Catholic writers the philosophical element has receded into the background. The great names are no longer those of apologists, but of specialists. Whereas Möhler, De Maistre, Bonald Lamennais, Schlegel, were, so far as they dealt with the subject, occupied in the apologetic bearing of History, Duchesne, Pastor, and the Bollandist Jesuits are largely occupied in what the ultra conserva-

* *Appendix to Second Report*, p. 189.

tives regard as merely destructive criticism—*i.e.*, in correcting exaggerations of fact which formed an effective but inaccurate defence of the Christian and Catholic position. This change among Catholic students began in the later fifties, and has been described by Lord Action in a memorable essay in the "Home and Foreign Review" ("Home and Foreign Review," vol. I, pp. 513 *seq.*).

(4.) In Geology and Anatomy.

(*a.*) The greater prevalence of a modified view as to the practical consequences of the inspiration of the Bible has drawn the teeth of old oppositions. Monsignor Mercier told us that some of his Professors are evolutionists. Dr. Delany obviously viewed with different eyes from Dr. Cullen the supposed opposition between the mosaic cosmogony and the conclusions of Geology.

(*b.*) Further, these sciences have gained so widely in credit that most persons realise that they must go their own way in peace, and that before we can adjust their conclusions to the teaching of Scripture and to Theology, they must be allowed complete freedom to work out those conclusions in their own way. Thus, any battle between the two departments is at all events postponed.

(*c.*) Concurrently with this, the aggressive tone of their exponents has much diminished now that they have won what they may consider to be the victory of shaking themselves free nearly everywhere from the inquisitor's animadversions.

No doubt the old oppositions have left their heirs. The contest between naturalism and supernaturalism has not ceased. It represents, indeed, an undying contest, and is itself the heir to the opposition, far older than Christianity, between the philosophy of Providence and that of Necessity. But the enormous increase of specialism postpones such a contest almost entirely to a stage subsequent to that of University training. The theologians have admitted so much, and both History and Physical Science have had such eminent Christian exponents, that we have no longer, as we had half a century ago, a battle on the very threshold of these subjects. The truce proposed by Cardinal Newman in the remarkable lectures he delivered in Dublin in 1855 has been largely realised in later years.

The growth of undenominationalism from 1845 up to the present time has gone almost *pari passu* with this relaxation of acute oppositions. The change in the Irish Bishops' demands, which is avowedly due to undenominationalism, is probably influenced more or less consciously by the concurrent decrease of contentious elements in the educational programme. Obviously, the more specialism increases, the less are the dangers to religious belief which arise from mixed education, because the mixture affects a far smaller field.

Perhaps we may roughly characterise the changes in the attitude dominant in the Universities since 1830, as consisting of three stages—

(1.) The theologians—heirs at Oxford as well as in Rome to the mediæval synthesis of knowledge—thought that they could dictate *à priori* to the representatives of Science and History.

(2.) The scientists and naturalistic historians thought that they could banish and discredit Theology.

(3.) Each party is learning more effectively the proverb, "ne sutor ultra crepidam."

This great alteration in the situation inevitably brings with it a decrease in the necessity of pressing some of the denominational safeguards. The aggressions on religion have diminished, and the defences are correspondingly less necessary. Some protective machinery is demanded by the guardians of religious interests for possible future emergencies, but in present circumstances it is little likely to be used. Moreover, time has made all educated men—including the Catholic representatives of education in Ireland—see the importance of one object of the liberal movement, namely, of thoroughness in scientific method. What Newman said in 1855 is now generally admitted—that even the errors of Science must be allowed to take their course rather than that its free development should be impeded by the interference of theologians. On the lowest ground a thorough scientific training is seen to be necessary for efficiency and credit in the eyes of the world. Thus, though the Bishops still demand for a College which Catholics shall frequent, an element which is *de facto* denominational, what they ask for is far less denominational than what they asked for in 1846. They no longer ask for dual Chairs. They are conscious (and the facts at University College, Dublin, show this to be practice and not mere profession) that to get the best specialist Professors in secular subjects is so important, that they must be ready to welcome an eminent non-Catholic if a first-rate Catholic is not to be found.* Their present claim is, indeed, a claim for little more than what Peel already seems to have felt the justice of in 1845.† They ask for a University, undenominational *de jure*—that is to say accepting the test acts—but with such a predominance of Catholics on the governing body at the outset, and such religious safeguards as will give it the character of a *de facto* denominational institution. Trinity College, Dublin, which is a Protestant University, gradually made *de jure* undenominational, supplies *mutatis mutandis* the precedent for the Catholic demand.

But while the development of events has made it possible to the Bishops conscientiously to accept less than they asked for in 1846, it has brought about the general acceptance of a principle which gives their claim a new and special force. The principle which has triumphed in the "liberal" movement to which I have referred, is the principle of religious equality;—that in the matter of education no one should be handicapped by his religious creed. On this principle they now take their stand. They demand equality; and equality, they point out, must mean that combination of *de facto* religious and denominational influences with *de jure* undenominationalism which the existing consequences of their past history have secured at Oxford and Trinity, and which consideration for the Presbyterian body on the part of the Government and the subsequent action of that body have secured at Belfast.

To allow "denominational" influences may of course have in different instances different practical results. It may conceivably tend to what it is said to have tended to be in Dr. Cullen's hands—an exercise of such ecclesiastical predominance and interference as would handicap effective scientific teaching; or it may only mean such definite religious influences as are essential to a satisfactory education—influences which cannot be secured by a combination of persons of different creeds, and can only be effectively exerted by one denomination, with its *esprit de corps* and its definite ideals and institutions.

The opposition to the Catholic claim appears to rest on the presumption that *de facto* denominationalism, the predominance of one denomination, the presence of its religious services and its Theology, its predominance on the governing body, which issue in Trinity College in giving such religious influences as parents would desire, without introducing either a strong sectarian or an anti-scientific spirit, would in the case of a Catholic institution necessarily have an essentially different result. Denominationalism in a Catholic University would, it is supposed, be different in kind from what exists in Trinity College. The claim is therefore one for privilege—for denominationalism in a sense in which it is not allowed to others.

May it not be said in reply that this is a conjectural objection on which it is very hazardous to wreck an important scheme to remedy an admitted grievance? A Catholic may indignantly repudiate the suggestion that he is less able than a non-Catholic to free himself from unreasonable ecclesiastical control, or that History and Science are taught less *scientifically* at Louvain than at Trinity College, Dublin. A Protestant may be quite unable to agree with such a disclaimer, or to divest himself of the conviction that his own fears in the contrary direction are just. But if such a conviction on the part of the Protestant legislators, without conclusive evidence to support it, is to be a reason for not giving Irish Catholics the same opportunity and chances as Irish Protestants of exercising their educational capacities, and of proving by experiment that the suspicions of their critics are groundless, the idea of equal legislation, the principle of justice underlying the undenominational ideal, falls to the ground.

Further, what might appear to be a special insistance on the denominational element in the Catholic demand

* Father Delany speaks on the subject with the conviction which his own experience has brought (see question 1454).

† This is distinctly intimated in the evidence both of Bishop O'Dwyer and of Dr. Delany.

may fairly be said to be a demand not for Catholic privilege, but for a removal of inequalities caused by Protestant privilege in the past. The Catholic asks for more because he has less. We may easily forget how much in the present state of things is due to past inequality. Therefore, the best way of testing what will give equality in the present is to suppose equality in the past, and then see the state of things which equal legislation on such a basis would have effected. Suppose, then, that in days when Trinity College was Protestant there had been also a Catholic College in Dublin University; that when Trinity was opened to Catholics, the Catholic College had been open to Protestants; that when all tests had been abolished at Trinity, the same had held in the other College. This would have been a history of parallel antecedents, equal opportunities and similar legislation—exact equality. Each College would have been first denominational and then gradually undenominational by law. It is plain that the special character of the religious arrangements and developments of the College, apart from the law, has nothing to do with the undenominational character which the law requires. Whether the denominational *esprit de corps* or ecclesiastical influence were greater or less in one College than the other might be a matter of accident, or it might be connected with points in the particular creed. But it is of the essence of equal legislation not to handicap on the ground of peculiarities of creed. It might again, like the strong theological atmosphere of the Oxford of 1835, be the result of certain dominant personalities. Such things would have been outside the purview of the legislator, who gave to each equal laws, and allowed them freedom apart from the law.

For Irish Catholics, then, to ask for what they would have had under such circumstances is the nearest attainable measure of asking for equality. I should have no wish to disguise the fact that the proposed University or College is primarily for the benefit of one denomination, but to say that a College so constituted that *all* the undenominational legislation is accepted can be in any way an exception to the undenominational system, *so far as that system prevails*, seems to me quite inexact. If undenominationalism in England had been equivalent to secularism, the case would have been otherwise. Even if there had been in University legislation a Cowper-Temple clause forbidding denominational teaching, matters would be on a different footing. Trinity College could then no longer have its Divinity Schools. But English Universities are not undenominational in the sense of Board schools. Their undenominationalism is understood in the limited sense of all emoluments and offices being open by law to all-comers. Therefore the College or University would be, in the ordinary sense, undenominational—that is to say, *de jure* undenominational.

I submit that the only case in which, on the principle of equal legislation, regardless of creed, the legislature can take cognisance of the peculiarities of distinct denominations, and the results of these peculiarities, is where such peculiarities can be unmistakably shown to make the secular education unsatisfactory. If in the case of any denominational system it can be shown that there is ecclesiastical interference of a kind which prevents the freedom necessary for first rate education in any department, then the legislature has to consider that public money is being spent on an inferior education.

This leads me to speak more particularly of a subject to which considerable attention was given in our inquiry—the claim of the Bishops to be members of a Board of Visitors which would adjudicate on any case in which a Professor was supposed to have taught something offensive to the religious convictions of his pupils. The Bishops claim to decide what *is* Catholic dogma. This claim in itself is simply the claim to carry out in a manner conformable to the Catholic principle that the Bishops are official witnesses to dogma, the principle already admitted in one form or another in the Queen's Colleges and in the Scotch Universities—that a Professor is pledged not to offend against the religious convictions of the students. In present circumstances, we know that practically such offences have been almost unknown in the Queen's Colleges—that the regulation against them never has occasion to be practically enforced. We have evidence to the same practical state of things among Catholics in the Medical School in Cecilia-street. Bishop O'Dwyer declares that he does not believe that in a University for Irish Catholics such a case would arise once in forty years. Indeed, where Professors are chosen who are in general sympathy with the spirit of the institution, it is unlikely to occur.

As however the claim is made, and might conceivably become practical, it is important to make it quite clear that such a claim on the part of the Bishops is quite distinct from a claim to interfere with any branch of scientific teaching in its own sphere—a claim which might justly be a subject of animadversion on the part of the legislator. It is *this* course which has been a source of trouble in the past. And it was with the object of pointing out that such a claim is not now preferred that I asked certain questions in the course of our inquiry.

It was, as we know, only gradually that the absolute necessity of freedom for Science made itself practically realised, either among Catholics or among Protestants: and it was by means of an anti-ecclesiastical movement. Dr. Mackinnon, in his recent work on the French Monarchy, points out that the Protestant theologians "were as ready as the intolerant orthodoxy of the Sorbonne to persecute free thought in defence of their own orthodoxy." Theoretically the freedom of Science in its own sphere has always been acknowledged by the Catholic Church. And even the Galileo case was an instance in which a certain interference with Theology by Galileo was the *occasion* of the adverse action of the ecclesiastical authorities. An attitude of suspicion towards Science was at one time greater in the case of Protestant theologians than of Catholics, because the Bible was taken by the former more literally, and without the principle that its teaching is gradually interpreted by the Church. Thus Copernicus' *De Revolutionibus Orbium* was dedicated to a Pope and condemned by Melancthon. But among all theologians, Catholic and Protestant, interference with scientific theories in the name of orthodoxy very long survived in practice. The Inquisition did not in the end confine itself to considering Galileo's treatment of Scripture. It proceeded to make pronouncements on the truth or falsehood of scientific hypotheses themselves. Any survival of such a mode of procedure, belonging to a period when the nature of scientific methods and their requirements were not understood, may be reasonably objected to in the interests of education. And it has to be clearly understood that teaching offensive to faith—of which the Bishops claim to take cognisance—means not a scientific theory or conclusion which is inconsistent with received theological views, but extra-scientific dissertations directly contravening dogma. Professor Butcher cited a saying in the opposite direction from Dr. Cullen. And this makes it the more important to point out that Dr. Cullen's view is not that contemplated in the present proposal of the Bishops.

It is sufficiently well known that Dr. Cullen for various reasons did not adequately realise the freedom which Modern Science and History demand for efficiency. Very many people, Anglicans and Presbyterians, as well as Catholics, of his generation, did not realise it. It is only in our own time that it is fully understood. Dean Burgon and his friends were, it may be maintained, no more alive to it than Dr. Cullen. But the ablest Catholic educationists equally with those of other denominations have long dissociated themselves from this position. Even as early as the fifties Cardinal Newman urged the absolute necessity for freedom of investigation, and discussion in "Astronomy, Geology, Physiology, Ethnology, Political Economy, History." I refer to his lecture on *Christianity and Scientific Investigation* ("Idea of a University," pp. 456 *seq.*). This lecture is included in a work frequently cited with approval by the present Irish Hierarchy—for instance by Archbishop Walsh in his pamphlet on the subject before us. And the evidence we have had from Dr. Delany and Dr. O'Dwyer (753, 1299) is entirely in harmony with the view of Dr. Newman, and not with that of Dr. Cullen. Broadly speaking, Dr. Newman's contention is that all the sciences, including the practical bearings of Theology on the world of secular facts, are in a condition of gradual development; that each must be allowed to develop freely; that they must not be allowed to encroach on each other; and that temporary apparent contradictions between Physics and History on the one hand, and Theology on the other, are not to be a reason for interfering with the historians or scientists, but are to be tolerated; that such interference is liable to error—even at times if made in the name of defined dogma, as theologians may identify with dogma something which in the end proves to be separable from it; that the true solution of temporary antagonism is very likely unattainable in our time, and only to be reached

eventually by a freedom which such interference would prevent. The spirit which should animate the presiding genius of a Catholic University he describes as follows:—"Taking into his charge all sciences, methods, collections of facts, doctrines, truths, which are the reflexions of the universe upon the human intellect, he admits them all, he disregards none, and as disregarding none he allows none to exceed or encroach. His watchword is, live and let live. . . . If he has one cardinal maxim, it is that truth cannot be contrary to truth; if he has a second, it is that truth often seems contrary to truth; if a third, it is the practical conclusion that we must be patient with such appearances. . . . It is the highest wisdom to accept truth of whatever kind . . . though there be difficulty in adjusting it with other known truth . . . a scientific specialist or enquirer is not bound, in conducting his researches, to be every moment adjusting his course by the maxims of the (theological) schools . . . or to be determined to be edifying, or to be ever answering heretics or unbelievers. . . . Unless he is at liberty to investigate on the basis and according to the peculiarities of his science he cannot investigate at all. It is the very law of the human mind to make its advances by a process which consists of many stages and is circuitous . . . In scientific researches error may be said, without a paradox, to be in some instances the way to truth, and the only way." The net result is that, whether right or wrong on a particular point, all branches of scientific enquiry must be free. Authority must only interfere where there is unmistakable and direct encroachment on dogma, or a practical attempt to tamper with the religious convictions of the young.

This view was very insufficiently accepted by theologians, Catholic or Protestant, when Dr. Newman wrote. And it is known that others besides Cardinal Cullen differed from it. But it is now very generally accepted. Its main features were adopted by Monsignor d'Hulst in his inaugural address to the Catholic Scientific Congress of 1888. It is entirely in harmony with the views expressed both by Dr. O'Dwyer and Dr. Delany before the Commission. The actual facts at University College, Dublin, as placed before us in Dr. Delany's evidence, tell in the same direction. In history (which seems to some the subject in which theological and apologetic influences are most likely to be prejudicial) the growth of the scientific spirit among Catholic writers on the Continent has been most marked. History as represented now by Abbé Duchesne or even Dr. Pastor is so far specialised that theological differences hardly come into contact with it at all. At Louvain it is, I am told, so far specialised that what may be termed synthetic history receives hardly any attention. It is entirely dissociated from apologetic. Accuracy of method is the primary lesson inculcated. No doubt bias might still betray itself in a Catholic Professor of History—a bias as much in favour of Catholicism as Mr. Froude betrayed in his Oxford lectures on the other side. But the present tendency among Catholic historians, so far as I am acquainted with it, is in the opposite direction. So far as bias *is* apparent, it is against their own side. The reaction from the special pleading of Abbé Darras has not yet spent itself. Certainly there has been nothing in the evidence before us to make it probable that such an attitude as that assumed by Cardinal Cullen fifty years ago would preside in an Irish University for Catholics. And there has been considerable evidence to show that it would not. Such an attitude would be an anachronism in a Catholic as much as in a Protestant University.

The fears entertained in an opposite direction would seem to be due to the suspicion that at heart Catholics still desire a University on exactly the basis of the mediæval Universities, in which the Church had direct control of all branches of study; that if they consent to less, it is under protest, and with a hope to regain for ecclesiastical control what has been lost. But to suppose this is to forget that educated Catholics, like other people, recognise that while in the Middle Ages Theology was a chief instrument whereby men hoped to gain knowledge even of the world of fact, now the positive sciences occupy a large territory once claimed by the divines.

Not only then the practical claim, but the ideal of Newman differs from that of St. Thomas Aquinas.

At the risk of being a little tedious it may be worth while to enumerate the chief points in which the Church does distinctly modify even its ideal claim as that claim is presented by Dr. Newman.

The old sway of the Church over University Education included in the Middle Ages—

(*a.*) Certain positive religious influences which were needed to guard the faith of individuals.

(*b.*) The presence of Theology as representing the exercise of the human mind in determining the theological implications of the Christian revelation.

(*c.*) The checking of the speculations of the human reason where they trench on theological ground, and are opposed to the truths of revelation or its logical consequences.

(*d.*) The attempt—which became confident, constant, and energetic under the influence of the modes of thought prevalent in the thirteenth century—to determine by means of logical deductions from Theology a large number of facts, physical and historical.

It is the last of these claims which the growth of the scientific method has by universal consent so greatly affected. This has now been long admitted by the best Christian thinkers, whether at Oxford or at Louvain—although this admission has been gradual. It has been brought about largely by the pressure of the undenominational and scientific movement. This has been, from an intellectual point of view, the really valuable achievement of that movement. No rulers readily resign a claim, whether they be successors of Charles I. or of Albertus and Aquinas. A determined effort against such encroachments of Theology on the field now occupied by Science was needed. A movement more or less hostile to Theology was probably, *in practice*, the only effective means of teaching Theology its true place. Undenominationalism in so far as it was bent on releasing education from the remains of a control which cramped the scientific spirit, was right. Its claim was strong as an alternative to bigotry.

But of the three remaining presuppositions of Church control, two remain, from the Catholic point of view, unaltered by the advance of Science. And the third remains unaltered in *theory* (although not, as I shall endeavour to point out, in practice). They continue as parts of the true *ideal*. And as far as undenominationalism opposes them, it is on ground which (it may be maintained) is not from the Catholic point of view tenable.

Let us consider each of the three as applying to present conditions.

(*a.*) A Church which regards faith as a matter of teaching and not of private judgment, and as a gift and a virtue which may be lost like any other virtue under stress of temptation, must insist on the functions of the representatives of religion in the first department. Catholic Theology holds indeed in the abstract that the reason, *rightly exercised*, leads the well-disposed to Theism and to Christianity. But it recognises that in the concrete a youth's reason is impressionable and is readily swayed towards or away from the Christian view of life, the world, and history, by the surroundings in which it is educated. While it believes in the possibility of a reconciliation of all Science with revelation, it does not trust the immature mind, or even the average mature mind, to effect that reconciliation, still less to do so under difficulties or on the spur of the moment. The University undergraduate cannot be expected to hold the balance justly where powerful intellectual influences are present which militate against his faith, and in the absence of the influence and aid of sacraments, liturgy, teaching, on the Christian side. The view which regards every private judgment as in all circumstances practically sufficient for the discernment of and adherence to religious truth, it regards as the unphilosophical fallacy of Protestantism.

(*b.*) The presence of Theology as representing the human reason exercised on revelation, Cardinal Newman has insisted on as the necessary counterpart of belief in revelation as representing a *fact* and not merely a *sentiment*.

As exemplified in the prescientific period, under the mediæval Church, in such a work as the Summa of St. Thomas Aquinas, this immediately issued in deductions, maintained as more or less probable, in the field of History and of Physical Science. In Newman's conception of a modern Catholic University adapted to an age of scientific advance, its practical utility was distinct from this. The presence and influence of Theology has (according to his exposition) an immediate bearing on the subsequent point—namely, the

claim of the Church to check the speculations of the human reason where they touch on theological ground, and oppose by implication the truths of revelation.

(c.) With regard to this claim, the Chairman pointed out the real difficulty (341)—namely, that it may include a claim on the part of ecclesiastical authority to determine the limiting line between Theology and Science. History shows that that line shifts as knowledge grows, and that neither theologians alone nor men of Science alone can be trusted to determine it accurately. Theologians have (as, for instance, when they declared in 1616 that Copernicanism was heresy) encroached on Science; men of Science like Huxley have encroached on Theology. It is only by the presence of both to guard their own interests that the line is likely to be drawn with approximate accuracy. And accuracy is secured not merely by an artificial compromise, but still more by the mutually corrective influence which each exerts on the other. Theology consists largely in deductions from reason and revelation combined. As the data of reason change and grow (that is, as Science advances) the conclusions from joint premises of reason and revelation necessarily change with the changing factor. This necessary development of Theology is an additional reason for its presence in a University, that it may so far as possible keep pace with the rapidly moving reason of an age of scientific advance. Its presence, from this point of view, is likely to tend not to obscurantism, but to its elimination.

This appears to be the only fully satisfactory way of dealing with the danger of an irreligious use of the sciences. The interference of one Science with the conclusions of another—including the interference of Theology with secular Science—is more and more felt by educated men to be an anachronism, because, as sciences are progressive, at a given stage their mutual bearings may be largely misconceived. If theological interference only took place where defined doctrine was in so many words denied it would be defensible. If a Professor of History or Physics taught in so many words "the dogma of creation is false," "the dogma of inspiration is false," "the idea of Providence is a superstition," the good sense of any University would hold that he should be checked. The real difficulty in former times has been that, in fact, interferences have been of another kind. And this is the cause of the deep prejudice existing against all interference with teachers of Science in the name of orthodoxy. "Copernicanism contradicts the dogma of the Inspiration of Scripture," was the plea of Melancthon and of the Roman congregations which condemned Galileo for heresy. "Evolution contradicts the dogma of creation," was a saying of both Catholic and Anglican Bishops thirty years ago. "Certain generally received conclusions of Geology contradict the mosaic cosmogony" was apparently Dr. Cullen's view. All these extra-theological assumptions are now abandoned by the large majority of educated Christians, and their abandonment teaches a lesson we must face as to the insecurity of theological judgments on half-developed sciences. Where, on the other hand, Science and Theology are present, represented by men of real ability, each re-acts on the other. Each learns to keep its limits. And the representatives of each will take by way of assimilation much that they would resist in the form of aggression.

The theologians have, however, in such a state of things a rôle, the importance of which varies with the circumstances of the time, in resisting the extra-scientific excursions of the exponents of the secular sciences. In point of fact the desire for knowledge as to man's origin and destiny, and as to a multitude of subjects on which (according to many thinkers) certainty is denied us, may lead any speculative mind—modern specialist men of scientific habits of mind as well as mediæval theologians—to theological conjectures. Gibbon's influence on the young is not likely to be entirely confined to imparting habits of critical investigation. His own naturalistic philosophy of history is certainly not hidden in the pages of the *Decline and Fall*. Specialists who have large human natures, who are men of really great and inquiring minds, rarely abstain completely from touching the problems of religion. When Strauss and Renan brought scientific criticism to bear on the Gospels, they did not content themselves with the dry investigation of dates and documents without drawing any irreligious conclusions. They were not satisfied until they had constructed a purely human Christ directly opposed to Christian doctrine. So, too, physiologists have denied the existence of soul, and evolutionists have denied the creation. The presence of Theology is needed (so Dr. Newman argues) in any world of strenuous thought, such as a University ought to be, to guard its own interests; to point out where Science ends and speculation, based on an inadequate view of life, or on semi-conscious naturalistic assumptions, begins. Theology has, as we have seen, largely effected this work during the past fifty years in the larger world of thought; but, it should always hold, as it were, a watching brief in its own interests..

Theology then is needed, both in the field of fact and proof, and in the field of imaginative speculation, as a counter force to Science, not to oppose its legitimate activity, from which on the contrary it should learn, as Aquinas learnt from Aristotle, but to keep it in its place, and remind its devotees of aspects of human nature, and of life, and of thought which they are liable to forget. Its presence is desirable in some form both in the interests of intellectual completeness and in the interests of the faith of the young. Such is, in outline, the Catholic ideal—what would be desirable in the circumstances of our own time on the principles sketched by Newman in his lectures.

In the absence of the mutually corrective action of Science and Theology, such as Newman's ideal Catholic University would have, the only possible arrangement for protecting the interests of Theology without damaging scientific freedom would seem to be that contemplated by Dr. Delany, Dr. O'Dwyer, and Dr. Healy* in connection with the proposal before us — viz., that there should be some machinery for preventing (1) direct aggression on Catholic dogma (2) attempted proselytism. An interference so limited, and with judges present on the Board of Visitors to ensure such limitation, would, as Dr. O'Dwyer pointed out, hardly ever occur. And if it did occur, it would be regarded by no one as a hardship. A Professor who went out of his way to attack religion would be obviously guilty of grave impropriety. There would probably be no objection if other denominations desired to be represented on the Board to testify to what was offensive to their creed. In the Catholic Church the claim is necessarily made because, as I have said, the Bishops are the official witnesses of doctrine.

No doubt the claim is practically a far less vital matter in the present condition of the Universities than it was fifty years ago, but it cannot be dispensed with, for there is no security in the nature of things that some movement of thought might not arise so aggressive as to make such a claim, and the parallel claim in the Queen's Colleges, of practical importance once more.

The Catholic principle that *purely* denominational education is preferable to mixed education would appear then, from the above sketch, to mean practically and in reference to present circumstances, only that it is so from a religious point of view. When the sciences were in the hands of the theologians (in the Middle Ages) this was also the educational point of view. Now that the sciences belong to other guardians, it is essential that these guardians should be adequately represented in a University. And this often cannot be done if a University is not free to select the best specialists irrespective of creed. Moreover, human nature being what it is, if the theological and ecclesiastical element is allowed unduly to predominate, other interests will suffer. If Science won its freedom only by an anti-ecclesiastical movement, it is likely to maintain it only by the vigilance of those who are, in however friendly a spirit, somewhat jealous of ecclesiastical encroachment. This applies in a measure to Belfast or Trinity as well as to a Catholic College. But it is a practical consideration when a new College or University is being founded. The view however that certain strong denominational influences which hostile critics are sure to decry as "clerical" are indispensable for intellectual as well as purely moral interests, remains in force; and an education so far "mixed" as to reduce them to a *minimum*, is, from a Catholic point of view, very unsatisfactory.

* Bishop O'Dwyer's words (753-754) are very important. His definition of the point at which interference would be necessary is drawn from distinctly extra scientific teaching on the part of men of science. So, too, Dr. Delany, 1,299 *seq.*, and Dr. Healy, 6585-6588. And Dr. Delany appears to contemplate that there should be effective precautions against this limit being exceeded.

DOCUMENTS, III.

III.

The Papal Rescripts and the Decrees of the Synod of Thurles concerning the Queen's Colleges.

I.

RESCRIPTA DE COLLEGIIS REGINAE.

(1.)

PRIMUM RESCRIPTUM DE COLLEGIIS REGINAE.

ILLUSTRISSIME AC REVERENDISSIME DOMINE.

Mirum fortasse videbitur quod Sacrae Congregationis responsum de collegiis academicis tamdiu dilatum fuerit; verum et negotii ipsius de quo agitur gravitas et rerum pertractandarum copia effecerunt ut diuturnum tempus effluxerit antequam, documentis et rationibus pro utraque sententia rite perpensis, judicium tuto edi posset. Illud vero ante omnia significare debemus, ne cogitasse quidem Sacram Congregationem aliquid minus rectum sibi proposuisse Antistites illos, qui collegiorum institutioni favere visi sunt; diuturna siquidem experientia illorum probitatem compertam habet, eosdemque in eam fuisse mentem impulsos existimat spe tantummodo majoris boni assequendi, utque religionis prosperitati in Hibernia consulerent. Attamen, re mature et quolibet sub respectu penitus considerata, fructus hujusmodi ex ea collegiorum erectione, Sacra Congregatio haud sibi audet polliceri; grave imo periculum fidei Catholicae inde obventurum timet; uno verbo, religioni institutionem hujusmodi detrimento existere arbitratur.

Monitos proinde voluit Archiepiscopos et Episcopos Hiberniae ne ullam in ejusdem executione partem habeant; quemadmodum vero exoptasset ut antequam ex eis nonnulli apud gubernium agerent ad legis praefata Collegia respicientis mitigationem, aliaque in eorumdem favorem obtinenda, Sedis Apostolicae sententiam postulassent, ita pro summo obsequio quod erga eamdem Hiberniae Antistites jugiter prae se tulerunt, haud dubitat quin iidem, ea, quae in contrarium praestiterint, sint retractaturi. Haec omnia vero haud officiunt quominus si aliqui ex vobis nonnulla gravioris momenti ulterius notanda habeant, Sacrae Congregationi libere patefaciant, ut de omnibus rite dijudicari valeat.

Caeterum Sacra Congregatio probe noscit quanti intersit adolescentium, civilioris praesertim coetus, scientificae instructioni consulere: proinde Amplitudinem Tuam, et Suffraganeos simul Episcopos, hortatur, ut media omnia legitima quae in vestra sint potestate ad eamdem promovendam adhibeatis. Curandum erit ut Collegia Catholica, quae jam constituta reperiuntur magis magisque floreant eis additis, in philosophica presertim facultate, utilioribus cathedris quae fortasse desiderentur, atque ita ea Collegia disponantur, ut majori adolescentium numero prout regionum adjuncta exigant, patere possint. Imprimis vero opportunum Sacra Congregatio fore duceret, si collatis viribus, Catholicam academiam ad illius instar, quae per Belgii Antistites in civitate Lovaniensi fundata est, in Hibernia quoque erigendam Episcopi curarent.

Haec vero omnia ut ex votis feliciter contingant, Sacra Congregatio Episcopos hortatur quatenus mutuam unionem maximamque concordiam perpetuo servent, neque se partium studio abripi sinant ob negotia quae sacrum ministerium ipsis creditum haud attingant; cunctisque pateat Dei cultum, religionis bonum, animarum demum salutem eosdem tantummodo quaerere.

Haec vero eo majore studio vos praestituros arbitramur cum eadem in omnibus Sanctissimi Domini Nostri Pii IX. sententia extiterit; postquam enim accuratam de universo hoc negotio notitiam sibi comparasset, Sacrae Congregationis consilium probandum censuit, eique supremum auctoritatis suae robur adjecit.

Precamur Deum interim ut Amplitudinem Tuam diu sospitem ac felicem servet.

Romae, ex aedibus Sacrae Congregationis de Propaganda Fide, Die 9 Octobris, 1847.

Amplitudinis Tuae
Ad officia Paratissimus,

J. PHIL. CARDINALIS FRANSONI, P.C.P.F.

ALEXANDER BARNABO, *Pro Secretarius.*

Illusmo. et Revmo. Domini Michaeli Slattery,
Archiepiscopo Casseliensi.

(2.)

SECUNDUM RESCRIPTUM DE COLLEGIIS REGINAE.

ILLUSTRISSIME AC REVERENDISSIME DOMINE.

Excerpta nonnulla ex Statutis, quae pro nobis Hiberniae Collegiis rediguntur, ac suffragia super iisdem ab Episcopis data, occasionem Sacrae Congregationi praebuerunt, ut eo potissimum sub respectu de praefatis Collegiis iterum pertractaret, quidque pro spirituali bono Catholicae Gentis Hibernensis esset rescribendum sedulo ac mature perpenderet. Licet vero praefata Statuta ea sub forma consistant ut dijudicari non valeat quantae auctoritatis, attenta Anglicani Regni constitutione, sint futura: omnibus tamen mature pensatis Sacra Congregatio adduci non potuit ob gravia et intrinseca eorumdem Collegiorum pericula ad emolliendam sententiam de illis prolatam ac probante Sanctissimo Domino Nostro quatuor Metropolitanis expositam die 9 Octobris Anni Superioris.

Cum autem innotescat quanto studio Clerus et integra Natio pro iis adlaborent quae ad bonum Ecclesiae promovendum referuntur, de Universitate Catholica erigenda Eminentissima Patres haud desperandum censuerunt; imo consilium hujusmodi iterum iterumque commendarunt, ut in ejusdem executionem omnes pro viribus operam suam conferant, sicque pleniori Catholicorum instructioni satisfiat, quin ullum exinde eorumdem religio detrimentum patiatur.

Quam Sacrae Congregationis sententiam Sanctissimus Dominus Noster omni maturitate ac prudentia perpensam auctoritatis suae pondere probandam confirmandamque esse duxit, voluitque, eam quatuor Archiepiscopis remitti, respectivis per eos Suffraganeis communicandam.

Dum vero id exequor, significare etiam debeo Sacram Congregationem, immo et Dominum Nostrum illud imprimis habere in votis, ut Sacerdotalis concordia servetur, ac summopere cordi vobis existat unitatem spiritus colere quam plurimum Apostolis suis Christum Dominum commendasse Sacrosancta Evangelia testantur. Et quoniam Antistites alloquor, qui Ecclesiae historiam et SS. Patrum praeclara monita perspecta habent, supervacaneum profecto arbitror, vel ista adducere, vel commemorare quae bona Episcoporum consensio Ecclesiae contulerit quanta vero mala ex eorumdem dissensione dimanaverint: cumque illam unanimes

omnes quidem exoptetis abs re tamen non erit vobis in mentem revocare, ut opportuniora quoque media ad eam obtinendam deligatis, alacriterque adhibeatis. Ea vero prostant in Sacris Canonibus caeterisque Ecclesiasticae disciplinae regulis, quas quidem si exactissime in ministerio vestro persequimini, et si in dubiis vestris ad Apostolicam Sedem provocabitis ut per Eam quid vobis agendum sit tuto innotescat, supradicta unio magis magisque firmabitur atque consistet. Inter caetera SSmo. Domino Nostro probante, illud commemorandum vobis censuit Sacra Congregatio, ut Sacerdotales conventus ex ordine, et ad SS. Canonum et librorum liturgicorum tramitem in posterum fiant; alioquin sententiarum varietas indies augebitur, nihilque boni exhujusmodi conventibus, qui potius saecularem quam religiosam speciem prae se ferant, exurget ad Ecclesiasticam diciplinam, cui solummodo inservire debent, rite dirigendam: proinque utillimum erit acta conventuum ad Apostolicam Sedem transmittere, sicuti etiam statis temporibus literas dare de statu vestrarum Ecclesiarum prout sancitum est, ut opportuna hinc responsa excipiatis.

Haec vero vobis significantur non quia dubitatio ulla exoriatur de obsequio vestro erga Apostolicam Sedem; siquidem Orbi Universo exploratum est quam sit fervens et constans, novumque de eo testimonium literae omnes pro supradicto Collegiorum negotio redditae perhibent: verum ut et significationibus istis facto iterum comprobetur: cumque de gravioribus negotiis accurate ad eam Ecclesiam referatur, unde unitas Sacerdotalis exoritur, facilius et inter vos eadem unitas hac ratione consistet.

Interim Deum precor ut Amplitudinem Tuam diu sospitem ac felicem servet.

Romae ex Æ. S. C. de Propaganda Fide, die 11 Octobris, 1848.

Amplitudinis Tuae
Ad officia Paratissimus,

J. Ph. Card. Fransonius, *Prae.*
Alexander Barnabo, *a Secretis.*

Illusmo. et Revmo. Domino Michaeli Slattery,
Archiepiscopo Casseliensi.

(3.)

Documents, III.

Tertium Rescriptum de Collegiis Reginae.

Illustrissime ac Reverendissime Domine.

Licet Hiberniae Episcopi ea potissimum de causa plenariam Synodum celebraturi videantur, ut quoad Collegia uniformis disciplina per Hiberniam retinenda communi deliberatione statuatur, attamen id peculiariter per Amplitudinem Tuam commendari iisdem voluit Sacra Congregatio; eoque praesertim hortationes in Apostolicis Litteris contentas dirigi significes oportet. Id vero feliciter praestituros confido si a debito erga Apostolicam Sedem ejusdemque responsa obsequio, vel minimum deflectant, atque in illud potissimum intendant ut Religionis bono atque animarum salati nullo partium studio abrepti optima ratione consulere studiant. Interim per Amplitudinem Tuam Episcopis significandum duxi mirum videri quod nonnulli asseverare haud dubitaverint, post responsa de Collegiis jam data, presbyteris licere officia quaedam in iisdem Collegiis gerenda suscipere. Enimvero si ob gravia et intrinseca pericula praedicta Collegia in Religionis detrimentum obventura declaratum est; si admoniti sunt Episcopi ne ullam partem habeant in erectionis eorumdem executione; patet prafecto nec aliis Ecclesiasticis viris licere munus quod ad eadem referatur Collegia obire. Quod vero alias controversias spectat eorumdem Collegiorum causa excitatas, Episcoporum erit, praefatis rescriptis sedulo perpensis, ut fideles ab iis Collegiis frequentandis retrahantur, regulas ejusmodi proponere generatim ubivis servandas, quae et iisdem respondeant Rescriptis et aequitati, ac benignitati, quam ipsa Apostolica Sedes suo commendat exemplo, conformes existant. Interim Deum precor ut A. T. diu sospitem servet.

Romae ex aed. S. C. de Pnda. Fide, Die 18 Aprilis, 1850.

Amplitudinis Tuae.
Ad officia Paratissimus,

J. Ph. Card. Fransoni, *Prae.*
Alexander Barnabo, *a Secretis.*

R. P. D. Paulo Cullen,
Archiepiscopo Armacano.

II.

Decreta Synodi 1850 de Collegiis Reginae.

1. Cum in Romano Pontifice, Christi in terris Vicarium, et Sancti Petri successorem agnoscamus ac veneremur, cui divinitus munus optimis doctrinis fideles instituendi, et a pestiferis et veneno infectis pascuis arcendi, commissum est; libenti animo, et eo quo par est obsequio monitis et rescriptis assentimur, quae respiciunt quaestionem de Collegiis Reginae apud nos nuper erectis, quaeque, ipsius Christi Vicarii auctoritate munita, a S. Congregatione de Prop. Fide nobis sunt communicata.

2. Non solum litterae, sed spiritui horum rescriptorum inhaerentes, declaramus nullum Hiberniae Episcopum partem ullam assumere sibi posse in praedictis Collegiis gerendis aut administrandis.

3. Sacerdotes omnes aliosque clericos prohibemus ne munus aliquod quod ad administrationem horum collegiorum spectet, assumant aut retineant; neve professores, seu Decani residentiae, in iis fiant aut remaneant.

4. Quod si quis sacerdos aut clericus ad id temeritatis venerit, ut spreta Sedis Apostolicae auctoritate, aut hujus Concilii Nationalis statuto aliter agere ausus fuerit, suspensionem ipso facto incurrat.

5. Praeterea Collegia praedicta, ob gravia et intrinseca pericula, quibus ex judicio S. Sedis in eis fides et mores studiosae catholicae juventutis exponuntur, talia esse declaramus, quae omni ratione a fidelibus catholicis, qui fidem commodis omnibus et emolumentis temporalibus anteponere debent, sunt rejicienda et evitanda.

6. Ne vero fideles populi nostrae curae commissi, de quorum fide et aeterna salute ratio districta nobis Deo est reddenda, detrimentum aliquod ex nostro silentio patiantur, in epistola pastorali nomine hujus Synodi edenda, gravia et intrinseca pericula a S. Sede memorata, quibus juvenes catholici in hisce collegiis exponuntur, indicabimus, et omnes fideles gravissimis et charitate plenis verbis monebimus et hortabimur ut ab his Collegiis frequentandis, ne eorum fidei aliqua macula inuratur, aut pestifera aliqua doctrina inficiantur, omino abstineant.

7. Episcopi locorum ubi extant Collegia, invigilent ut haec statuta a Sacerdotibus omnibus serventur, et ut debita ab eis veneratio Sedis Apostolicae mandatis et hujus Concilii statutis observantia et veneratio exhibeantur.

8. Denique ad perpetuam rei memoriam, rescripta et monita S. Congregationis de Prop. Fide, quae ad Collegia Reginae spectant, actis hujus Concilii inserantur.

9. Ut sanae tandem educationi juventutis Catholicae provideamus, et iteratis commendationibus nobis a Sede Apostolica datis inhaereamus, muneris nostri esse arbitramur totis viribus conari ut quam primum, collatis consiliis, Universitatem Catholicam in Hibernia erigendam curemus.

DOCUMENTS, III.

III.

RESCRIPTUM QUO DECRETA SYNODI 1850 APPROBANTUR.

Decreta Concilii Hibernensis apud Thurles superiore anno habiti *praesidente R. P. D. Paulo Cullen Archiepo. Armachano, Hiberniae Primate, ac Delegato Aplico. ad quod ex universa Hibernia Episcopi convenerant, S. Congregationi de Propaganda Fide exhibita fuerunt. Mature vero omnibus perpensis in generali ejusdem, S. C. Conventu habito die 28 Aprilis hujus anni Emi. Patres censuerunt, nonnullis adhibitis emendationibus* juxta tradendam Instructionem, Decreta omnia esse probanda, atque executioni mandanda. Hanc vero S. Congnis. sententiam Sanctissimo Dno. Nro. Pio. P.P. IX., ab infrapto ejusdem, S.C. Secrio relatam in audientia die 4 Maji, Sanctitas sua eamdem in omnibus confirmavit ac servari praecepit.

Dat. Romae ex aed. dictae S. Congnis. die 23 Maji, 1851.

J. PH. CARD. FRANSONI, *Prae.*

[Locus ○ Sigilli.]

ALEXANDER BARNABO, *a Secretis.*

* Emendationes litteris cursivis insertae propriis locis sunt.

DOCUMENTS, IV.

IV.

Statement forwarded on behalf of the Executive of the Irish National Teachers' Organization by Mr. Terence Clarke, LL.D., Central Secretary.

IRISH NATIONAL TEACHERS' ORGANIZATION.

CENTRAL EXECUTIVE COMMITTEE.

STATEMENT as desired by ROYAL COMMISSION on UNIVERSITY EDUCATION.

The Executive of the National Teachers' Organization desired to make verbal representation to the Royal Commission on University Education regarding the co-ordination of the Primary, Intermediate, and University Educational systems of this country.

Existing arrangements effectually debar the poor man's child from all hope of educational advancement. The wealthy alone have access to Intermediate Schools and University Colleges; there is no provision for fostering the talent with which Providence so often endows the child of the most indigent parents. National Teachers have frequently opportunities of witnessing the glimmering of that priceless gem in the mind of the child of poverty, and it pains them deeply to know that higher education is placed beyond the reach of a pupil born to no inheritance. It is unjust to the individual that he should thus be debarred from participation in educational advantages provided at the taxpayers' cost; it is an immeasurable loss to the nation that God's precious gift to His humblest child should thus be neglected.

It was the hope of the Executive that the Commission would hear, and hearken to, their appeal on behalf of those whose birthright, a liberal education, is denied them by our present system of higher education. They learn with regret that the Commissioners could not find time to give them a hearing, and they desire to suggest that a scheme for scholarships should be devised for the benefit of young persons who exhibit marked ability in their course through the National Schools of the country.

In Scotland the University is brought within the reach of all who, by intellect, are capable of benefiting by it, and German Universities offer similar facilities to the children of the masses. Ireland most assuredly needs the trained intellect of all her children to recover lost ground amongst the nations, and keep pace with them in future.

The recommendations of this Royal Commission will, doubtless, be given effect in a new and better University system; and amongst those recommendations, National Teachers would fain hope there may be adequate provision, by scholarships or other such means, for encouraging industry and ability amongst the pupils of their schools, and enabling those of them who are intellectually fitted for such training to receive that higher culture from which they are now excluded by the poverty of their parents. The very considerable number of such pupils who have won positions in the public service, or entered on professional studies direct from National Schools, is an indication of what might be effected under more favourable circumstances; and it proves that the teachers of those schools are quite capable of bringing the best of their pupils to the door of the University, if that door were open to admit them.

A large number of National Teachers are graduates of the Royal University, and a much larger number are undergraduates, working through their course by private study. They have little to encourage them in undertaking this mental toil. Nothing in fact but the desire of scholastic distinction, which usually animates good teachers, and of intellectual advancement which is particularly commendable in those who instruct others. The Teachers' Executive desire to suggest to the Commission that a University course in Arts, at least as an alternative should take the place of the limited curriculum of the Training Colleges; and that, pending such an arrangement, the facilities which the Royal University now affords for attaining degrees whilst engaged in the schools should not be withdrawn.

The graduate National Teacher is at present the only connecting link between the University and the College of the masses—the National School. A much closer and more effective connection is necessary for the progress and future welfare of the nation. Teachers who show themselves desirous of University distinction should be encouraged to go forward, and pupils who are capable of winning such distinction should not be debarred from attaining it, even though their wealth consists of mental endowment alone.

V.

Documents put in by the Honorary Secretaries to the Committee of Catholic Laymen in connection with the "Statement of certain Roman Catholic Laymen with reference to University Education in Ireland."*

LETTER from the HONORARY SECRETARIES of the CATHOLIC LAYMEN'S COMMITTEE to the SECRETARY of the COMMISSION.

November 12th, 1902.

SIR,

As Secretaries to the Committee appointed by Catholic Laymen who signed the "statement" supporting the solution of a College for Catholics within the University of Dublin (Vol. III., Appendix 581, Documents LV.), we beg to hand you certain extracts and documents bearing upon this aspect of the question, and we have to request you to take steps to include these extracts and documents in the next volume issued by the Royal Commission.

A list of the documents will be found in the schedule herewith.

Your obedient Servants,

GEORGE C. GREEN.
HENRY J. MONAHAN, JR.,
NICHOLAS J. SYNNOTT,
Hon. Secretaries to Catholic Laymen's Committee.

J. D. DALY, ESQ.,
SECRETARY,
ROYAL COMMISSION ON UNIVERSITY EDUCATION IN IRELAND.

SCHEDULE OF DOCUMENTS

(Referred to in foregoing letter.)

(1.) Extract from the Act of Settlement, 14-15 Charles II., Section ccxix.

(2.) Extract from the Catholic Relief Act, 1793, 33 George III., c. 21 (Irish).

(3.) Extracts from "The Problem of Irish Education," by Isaac Butt, M.P.

(4.) Extract from the opinion of Sir Joseph Napier, Bart., formerly Lord Chancellor of Ireland, Vice-Chancellor of the University of Dublin, on the relations of the University of Dublin and Trinity College.

(5.) Resolution of Catholic Bishops of Ireland, 18th August, 1869.

(6.) Declaration of Catholic Bishops of Ireland, 21st June, 1899.

(7.) Extract from an address by Most Rev. Dr. Alexander, Archbishop of Armagh, Lord Primate, at the General Synod of the Church of Ireland, 8th April, 1902.

(8.) Address of Rector and of past and present students of the Medical School of the Catholic University, Cecilia-street, Dublin, with reply of the Archbishop of Dublin thereto, November 6th, 1885.

(9.) Letter of Most Rev. Dr. O'Dwyer to the public press.

(10.) Letter of "A Catholic Layman" in reply to the letter of Most Rev. Dr. O'Dwyer.†

(1.)

EXTRACT from the ACT of SETTLEMENT (14, 15, Charles II., Sec. CCXIX).

[It is provided]

That the Lord Lieutenant, or other Chief Governors of this Kingdom, for the time being, by and with the consent of the Privy Council, shall have full power and authority to erect another College, to be of the University of Dublin, to be called by the name of the King's College, and out of all and every land, &c., vested by this Act in His Majesty, and which shall be settled and restored by virtue thereof, to raise a yearly allowance for ever, not exceeding £2,000 per annum by an equal charge upon every one thousand acres, or lesser quantity proportionally, and therewith to endow the said College, which said College, so as aforesaid to be erected, shall be settled, regulated, and governed by such laws, statutes, ordinances, and institutions, as his Majesty, his heirs and successors, shall under his, or their, Great Seal of England and Ireland, declare and appoint.

(2.)

EXTRACT from PROVISIONS of CATHOLIC RELIEF ACT, 1793, enacted by the IRISH PARLIAMENT (33 George III., c. 21.)

SEC. VII.

It shall be lawful for persons professing the Roman Catholic religion to hold or take degrees or any professorship in or be Masters or Fellows of any College to be hereafter founded in this Kingdom, provided that such College shall be a member of the University of Dublin, and shall not be founded exclusively for the education of Papists or persons professing the Roman Catholic religion, nor consist exclusively of Masters, Fellows, or other persons to be named or elected on the foundation of such College, being persons professing the Roman Catholic religion, or to hold any office or place of trust, and to be a member of any lay body Corporate except the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin, without taking or subscribing the oaths of Allegiance and Supremacy.

* This Statement is printed at page 581 of the *Appendix to the Third Report* of the Commission.

† NOTE BY SECRETARY.—This document being an anonymous letter, that appeared in the *Freeman's Journal* of March 22nd, 1902, has been omitted.

(3.)

DOCUMENTS, V.

EXTRACTS from "THE PROBLEM OF IRISH EDUCATION," by ISAAC BUTT, M.P. (London, published 1875).

"I cannot but think that a wise man would hesitate long before he would break up an institution which, even for one section of the nation, has so admirably answered its ends; that he would rather seek in it a mode by which he might frame kindred institutions which would equally meet the requirements of other sections of the people. The very instinct of statesmanship would lead any man to make this old institution the nucleus of an aggregate of similar institutions, which, adapted to the wants of each class, might altogether represent the nation. In other words, to make Trinity College the centre and, if you will, the mother of an Irish University, in which Colleges adapted for the different sections of the Irish people might be united in one collective body that would deserve, in no narrow or sectarian sense, the name of national."

* * * * *

"Whether the plan I propose, of two Colleges in one University, will be deemed, under present circumstances, the most advisable for Roman Catholic interests, I have no certain means of knowing. This essay is written entirely on my own responsibility, and without communication with anyone. When, two years ago, in speaking in the House of Commons on Mr. Fawcett's Bill, I sketched out a plan of this nature, the manner in which the proposal was spoken of induced me to believe that it would not be unfavourably received. The only other plan of solving the problem is to establish a Catholic University, with equal powers, privileges, and endowments to those possessed by the Protestant one. It occurs to me that the proposal I make is in every respect preferable. Anxious as I am to maintain the principle of a religious education, I do not wish to make a separation between Protestant and Catholic wider than the necessity of maintaining that principle involves. A newly-established Catholic University, no matter how well or successfully conducted, could not for many years acquire the prestige and character for its degrees or its distinctions which are attached by many great memories to those of our old University. In the rich inheritance of these memories the Catholic people of Ireland have a right to a full share. I am struggling that they should have it in the University institutions of the land.

Lastly, I believe it is possible to obtain for a plan such as I propose the assent of many who would not acquiesce in the establishment of a separate Catholic University.

Furthermore, I am sure that in the open competition of the members of each College with the members of the University at large, a manly and independent spirit would be maintained. Anything like the narrowness of spirit which might possibly result from an exclusive and separate training would be effectually guarded against, and the intellectual distinctions which were won in an arena in which all Irishmen were entitled to meet, and Irishmen of different persuasions were the judges, would have a value in the estimation of the country which could never belong to any awarded in a less national tribunal. In this system of distinct Colleges in a common University, we should combine the advantages of the separate system of education with all those which the most enthusiastic secularist can possibly point out as following from the mixed."

* * * * *

"I ought perhaps to say, when I wrote the greater part of this chapter I had not read the splendid tract which has been given to the public on this question by Mr. M'Ivor, the Professor of Moral Philosophy in the University. Upon two points he has cited testimonies of great value in relation to the subject discussed in this chapter, in an extract from the Pastoral of the Roman Catholic prelates in 1871—an extract sufficient to assure us that no objection will be made by the Catholic hierarchy to the combination of two Colleges in one University. The other is an extract from a pamphlet, published in 1869 by Dr. Woodlock, in which the wholesome effects of competition are traced with so much wisdom and true liberality and philosophy that I cannot deny myself the pleasure of reproducing it.

Dr. Woodlock is, I need not say, the accomplished rector of the Catholic University. In 1869 he thus wrote upon the subject of bringing all classes together in open competition:—

"'1. The great, indeed the paramount, advantage of competition is admitted upon all hands. By it emulation is kept up among youth; their latent energies are evoked, and their intellectual powers developed to the utmost. A system, then, which brings into competition all the youth of the nation, must possess great educational advantages above any other, and such precisely is a National University, where all the intellect of the country would have to compete in a common arena for degrees, honours, and other literary and scientific distinctions. Moreover, this emulation would be increased by the fact that there would be among the various Colleges a struggle for intellectual superiority, which could not fail to be productive of the greatest advantages to literature and science, each striving to outdo the others in the race in which all would be entered.

"2. Again, the students of the Catholic College having won, as no doubt they would win, distinction in the intellectual arena, not only would their equality or superiority with respect to their Protestant fellow-countrymen be admitted at once, and this without any of that hesitation or delay which is sure to occur before their literary or scientific standing will be recognised if their passport to distinction bear the signature of an exclusive institution; but also the great question whether in truth Catholic education does cramp the human mind would be decided by a tribunal whose authority Protestants and Catholics must admit alike. In a mixed community, such as exists in these countries, it is of the greatest moment that the University stamp should not be one which would almost ostracise the bearer and cut him off from his fellow-countrymen either by his own act or by their unwillingness to admit the value of the coinage; the literary and scientific coin should be such as would run current throughout the realm, because its value would be known to all. In other words, it is most important for the social interests of Catholics that the University degree borne by them should be a *bona fide* mark of distinction, won in open competition with their fellow-countrymen of all denominations; and not the result of a hole-and-corner examination, and the fruit of work done under the inspection of a few Catholic teachers, approved and rewarded by them, and of the value of which others would know little or nothing. It is also of the greatest importance that the true intellectual value of Catholic education should be publicly proved and recognised by all.'"

* * * * *

"I know that there are those who will see with surprise this reference to the act of Church disestablishment—an act which proceeded on the maxim that revenues devoted to the religious purposes of the whole people ought no longer to be applied for those of a small minority. I know it has been said that in this very legislation a general principle has been established which forbids us to maintain a University system of which religious teaching forms a part. No proposition was ever put forward more destitute of all foundation, either in reasoning or in fact. In fact it wholly fails; for the very men who urge the argument are preparing to maintain, in the reformed Trinity College, not only one form of worship, but two at the least. Even the Bill of Mr. Gladstone, the author of the disendowment, left Trinity College free to provide any religious instruction the authorities thought fit, provided it was not made compulsory on any student to receive it.

But a moment's reflection will show how utterly groundless the argument is. I have, let me say, a great distrust of political reasonings which are rested on general principles. In most instances a resort to

them is an evasion of the considerations which ought to determine any question of practical politics. You cannot find a general algebraic formula by the blind application of which you may solve all the problems that from time to time may arise in the affairs of men; *Dolus versatur in generalibus* is a maxim the application of which to practical politics is abundantly justified by the experience of this generation.

But, in the name of common sense, upon what does the argument rest? The Act of Parliament that disestablished the Church was not intended to make the people less religious than they were before. It was not intended to make even the disestablished Church less distinctive than it was before. The Irish people, it was assumed, would have exactly the same ecclesiastical establishments that they had before, although voluntary contributions must now sustain them all.

Then is this a precedent to be copied in legislation in which we propose not to disendow a University but to endow it? It does, indeed, lead us to the conclusion that no one religious persuasion has any exclusive right to these endowments, but it carries us no further. We absolutely refuse to follow in our University legislation the precedent of the Church Act. By the provisions of the Church Act we have no endowed Church. If the analogy is really to guide us the inference is that we should have no endowed University.

If it does not prove this it proves nothing. But if we are to have endowed Universities, and if, for all practical purposes, religious teaching is, from the feelings of the nation, an essential part of a University, what is there in the disestablishment of the Church that obliges us to leave this out? If we give a University we must give that which will answer the purposes of one, and answer it according to the constitution of the people for whom we intend it. We do not give this if we banish all religious teaching. As reasonably might it have been proposed to carry out the principle of religious equality in relation to Church endowments by establishing a new Church from which all distinctive religious teaching should be rigidly excluded, and whose religious services should be so framed that persons of all the different religious persuasions ought, in the opinion of the framers of those services, to be perfectly content to unite in their use."

* * * * *

"And surely, if on this solemn subject I may speak all that is passing in my mind, in that struggle a Protestant community will need the aid of such institutions more than the Roman Catholics. In the latter, strictness of discipline, submission to authority, the whole genius and spirit of the system supply elements of cohesion and strength which are wanting in the less organised framework of the Protestant Church. If the members of that Church refuse to join in seeking for freedom in religious teaching, and give up their own college to secularism rather than accede to it, the day is not distant when the best friends of that Church will unavailingly regret that they rejected the opportunity of securing a safe and honoured place in a national university in which Christian teaching would still be maintained.

I cannot pursue these hints; but is there anyone dull enough not to see that the new system cannot last? May I venture to reason with those who suppose that in all that has been done, or all that may be done, in secularising Trinity College they have set agitation at rest? You have but given it tenfold force and tenfold reason. You have admitted that in this matter of University Education the Roman Catholics have a grievance which must be redressed. Two or three years will make it a matter of demonstration that your new system has aggravated instead of redressing the grievance. Your University will be regarded as an aggressive one against the Catholic religion—a system of proselytism, bribing men by the offers of emolument to desert the principles and the teachings of the Roman Catholic Church. The life of your new University will be one of contest with the religious feelings of the people. Instead of the respect and affection with which, notwithstanding its Protestant character, Trinity College is now regarded, it will become the object of bitter, if not fierce, hostility. In the meantime the attachment of Protestants will be alienated by the surrender of its Protestant character. The mass of the people will still press for a Catholic University; as the old College declines that demand will acquire new reason and fresh force. These are days in which the will of the great mass of the people is sure, in the long run, to prevail; and in a very few years you will discover, when it is too late, that you had the power to fritter away and destroy your own Protestant institutions; you had not the power to prevent the Irish people having those Roman Catholic ones for which they wish."

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(4)

EXTRACT from the OPINION of the Right Hon. Sir JOSEPH NAPIER, Bart., LL.D., formerly LORD CHANCELLOR of IRELAND, VICE-CHANCELLOR of the UNIVERSITY of DUBLIN, on the relations of the UNIVERSITY of DUBLIN and TRINITY COLLEGE, DUBLIN.

(Reprinted from Volume II. of "A Catalogue of Graduates of the University of Dublin.—Hodges, Figgis, & Co., Ltd., Dublin, 1896).

The constitution of the University of Dublin, and its relation to Trinity College, have been a subject of controversy. Some questions that were generally supposed to have been settled have been recently re-opened. The Letters Patent of Her Majesty the Queen (21 Vict.) confirmed to the Provost and Senior Fellows of the College, and to the Chancellor or Vice-Chancellor, Doctors and Masters of the University, without any alteration or diminution whatsoever (save as therein provided), all such powers, rights, and privileges as by Royal Charters and Statutes had been given or granted to the Provost, Fellows, and Scholars of Trinity College, or to the University of Dublin, or which by long usage had been possessed.

The Introduction to the first volume of the University Calendar (1833) contains an instructive historical account of the foundation and settlement of the College. It afterwards states that neither in the Charter of Queen Elizabeth, nor in the Charter of King Charles I., was the University recognised as a corporate body distinct from the corporation of the College: that the University was simply a College with University privileges and powers, and that the Provost and Senior Fellows of the College constituted the only Senate or University convocation which was recognised by Charter, and were entrusted with the same powers of electing officers and conferring degrees, which, in the English Universities, belong to a body consisting of Masters of Arts and Doctors in the higher faculties. A reference is therein made, in terms of unqualified approval, to a pamphlet published A.D. 1804 by the late Rev. George Miller, D.D., then a Fellow of the College, "for a complete and satisfactory discussion of the question about the distinction between the College and the University."

This discussion was afterwards deemed by the writer to be incomplete and unsatisfactory. In his Introduction to the Book of Graduates, published in 1869,* the same learned and much-lamented writer (the late Dr. Todd) confuted the positions on which Dr. Miller relied in order to prove that the University was not a distinct body.

In this later publication reference is made to the official records, whereby it is shown that the "University consisted in Temple's time, as it does now, of the Chancellor or Vice-Chancellor with the Congregation of Doctors and Masters who constitute the Senate; and Caput Senatus Academici." Temple was Provost of Trinity College from November, A.D. 1609 until January, A.D. 1627; and therefore the University and its Senate, as above described, could only have been constituted under the Charter of 34 Elizabeth, A.D. 1592. This Charter consists of two parts—one relating to the College, designed to be (as described therein) "Mater Universitatis," for the education, institution, and instruction of youths and students in arts and faculties; the other relating to the University that was to be brought into existence. The former provides

* P. xvi., n.; pp. xxxi., xxxiii. (a), xli., l., lvi., &c.

DOCUMENTS, V.

an eleemosynary foundation for the support and habitation of a Provost, Fellows, and Scholars (whom it names), and their successors, and it constitutes these a body politic and corporate. It gives power to the Provost and majority of the Fellows to make laws for the government of the College and to adopt such of the laws that were established in either of the Universities of Cambridge or Oxford as they should consider to be suitable to themselves. The latter part of the Charter confers on the *studiosi* of the College the privilege of obtaining the degrees of Bachelor, Master, and Doctor, "juxta tempus idoneum," in all the arts and faculties. It gives power to the Provost and major part of the Fellows to prescribe the preliminary acts and scholastic exercises; to appoint "omnes personas pro hujusmodi rebus melius promovendis," whether Vice-Chancellor, Proctor, or Proctors, and to elect the Chancellor, except the first, who is named in the Charter as having been appointed by the Queen.

In interpreting this Charter it is proper to consider the circumstances under which it was granted, and which must be supposed to have been present to the mind of the Queen and her official advisers at the time of making the grant. Express reference is made to the Universities of Cambridge and Oxford; and the clause in which power is given to elect the proper officers, for the purpose of having degrees conferred, must be taken to mean such as there were in these Universities for the like purpose. Three of these officers are expressly named—the Chancellor, Vice-Chancellor, and Proctor or Proctors. A like reference is impliedly made as to the degrees, and the "idoneum tempus" at which they were to be conferred—et sic de similibus.

As to the meaning of "Universitas," there are two reliable authorities. Dr. Cowell was the Regius Professor of Civil Law in the University of Cambridge. He published a work that was printed at Cambridge, A.D. 1607, in which he gives the following explanation: "Universitie (Universitas) is, by the Civil Law, any body politic or corporation; but, in our language, it is (at the least most ordinarily) taken for those two bodies that are the nourishers of learning and the liberal sciences, Cambridge and Oxford." Another learned civilian (Dr. Ayliffe), a very high authority, in a treatise on the state of Oxford, published in 1714, states, and proves, that Oxford had the title of "University" before the reign of Henry III. He adds that, "by legal grants all Professors and students incorporated into a body politic, in the Latin tongue called Universitas, do bear this name, and become hereby a republic of learning." He comments on and rejects other explanations of the word "University."

I have therefore been led to conclude that, inasmuch as the College is described in the first part of this Charter as "mater Universitatis," and express reference is made therein to the Universities of Cambridge and Oxford, and in the latter part a like reference is plainly to be implied, the University to be brought forth was intended to be constituted on the model of these, so far, at least, as related to what belonged to a "Universitas," in its then accepted meaning.

The Colleges in these Universities were adjuncts or accidents thereof. They were the later, the Universities the earlier institutions; but here, both the College and the University had to be created under the Queen's Charter, and, from the nature of the case, the College had to take precedence. It could not indeed be considered as having been intended to be an accidental adjunct to the University, but it might well have been designed to be subsidiary, by providing a tutorial system, in subordination to a Professorial, and thus affording what, according to Sir W. Hamilton, is "the condition of an absolutely perfect University."

The designation of "mater Universitatis" was appropriate, as well because the *studiosi*, who were to be admitted to take degress, were to be supplied by the College, as because the prescribing of the preliminaries and conditions of graduation, the appointment of University officers (except the first Chancellor), and the making of regulations for conferring degrees, were confided to the governing body of the College.

Although the actual creation of the University was, under the provisions of the Charter of Elizabeth, only effected by the instrumentality of the College, it does not follow that the University is not to be considered as having been founded by the Queen herself. What was done in pursuance of the Charter was done by the Queen's authority, and is deemed in law to have been done by herself. It has long been settled by law that the Sovereign in erecting a corporation, may either name the officers and corporators, of his or her own authority, or by express words empower others to do so.

The distinction between the founding of the College and the founding of the University should be clearly understood. There were available means of completing the foundation of the College at once and directly; but the case was different as to the University; for although in legal intendment it was founded by the Charter, it had afterwards to be brought forth by the College as its "mater."

If the Charter of Queen Elizabeth be looked at, without reference to what was done under its provisions, it is likely to be (and it often has been) misunderstood to have merely founded a College with University privileges. But when the whole matter shall be duly considered, it will appear that the University designed by and constituted under this Charter was intended to be, and was a distinct incorporation.

The power given to the Provost and Fellows, with reference to the conferring of degrees, sufficiently implied a power to make such subsidiary regulations as were not unreasonable, nor against any rule of law, but were suitable to the purpose for which the express power was given. These were made and were entitled "Consuetudines seu Regulæ Universitatis Dubliniensis, pro solenniore graduum collatione." The meaning of "Universitas" as then and now understood, is shown by the prescribed form of supplication for a degree.

In Barrett's MSS. the learned writer says—"The Crown vested in the Provost and major part of the Fellows the power of transacting everything about the conferring of degrees, and consequently that of framing University statutes, or, as they are called, Consuetudines seu Regulæ Universitatis Dubliniensis, pro soleniore collatione graduum. Under this grant Temple drew up his Statutes for that purpose [*i.e.*, pro soleniore graduum collatione], and so must the author of these Regulæ (whoever he was) have done. Acting under this authority, which being derived from the Crown may be called Royal, statutes so made seem to me not to require any further confirmation or interference. Accordingly I know no instance where the Crown interfered in making or changing any of them. Acts of Parliament indeed, imposed certain oaths at Commencements, &c., but this was not making any new law or statute, and in the Testimonium is mentioned as additional to the exercises imposed per leges et consuetudines." (Barrett MSS, 355). The propriety and reasonableness of these Regulæ are clearly shown by Dr. Todd in the Introduction to the Book of Graduates, p. xviii., n; p. xxix., pp. xxxii., xxxiii. They were recognised as the "leges academiæ" in the Statutes of King Charles I., cap. v. They have been recognised, not only by the Crown, but by the Legislature.

The Charter of King Charles I. is dated A.D. 1637. It is important to bear in mind how matters stood at the time when this Charter was granted. The "Universitas" designed by the Charter of Queen Elizabeth had been constituted by the Provost and Fellows of the College in pursuance of its provisions. The Senate was governed by a code of regulations drawn up and approved under the power impliedly granted. A period of gestation (if I might so say) had been required before the University could thus have been brought to the birth. As the design was that it should come from the womb of the College, privileges had been conferred on the *studiosi*, and powers given to the Provost and Fellows of the College, by which provision was made for the constitution and continuance of a proper staff of University officers, and of a body of accredited teachers. It may therefore be said that the College was adorned or invested with the privileges of a University. But after the holding of Commencements (which first took place A.D. 1600, juxta tempus idoneum, *i.e.*, seven years after the foundation of the College), the University was brought to the birth, and thenceforth it was distinct from, although dependent on, its mater—the College. As thus constituted, and as it then existed, it was recognised by the Charter of King Charles I. as "Academia sive Universitas." The Chancellor, who had been described in the Charter of Elizabeth as Chancellor of the College (at a time when the University existed only in intendment and consideration of law) is designated in the Charter of King Charles I. as Chancellor, "Academiæ sive Universitatis prædictæ." This Charter creates the distinction of Senior and Junior Fellows, and makes the Provost and Senior Fellows the

governing body of the College. It gives to them the power of nominating, electing, and admitting the Chancellor, Proctors, and all other officers "ad Academiam spectantes," save the Vice-Chancellor—he is to be appointed by the Chancellor. To them the power is given by the Statutes of King Charles I. (cap. iv.), ut graduum collationes definiant et concludant." The leges Academiæ, as already observed, that had been framed under the Charter of Queen Elizabeth, are recognised in these Statutes, cap. v. (Barrett MSS., 357).

This code, much of which was taken from the Statutes of Trinity College and other Colleges in Cambridge, prescribes (inter alia) a course of discipline and tutorial instruction for undergraduates (cap. xv.), which has since been largely amended and improved. In cap. xxv. the College is again described as "mater Universitatis." The Chancellor of the University, or (in his absence), the Vice-Chancellor, together with the Archbishop of Dublin, are made the only Visitors of the College, with large powers of supervision. Where power is given to the Provost and Senior Fellows to make new decrees, "in casibus ommissis," it is required that they should have the consent of the Visitors. In cases of doubt as to the interpretation of any of the College Statutes, provision is made for a reference to the Visitors, whose decision is to be final and conclusive.

It would seem that the framers of this code looked upon the College as subsidiary to and connected with the University, so as to secure completeness of instruction in arts and faculties. The University is not the less a distinct body because the College supplies the *studiosi* whom it prepares for their first degree in Arts, and for availing themselves of the teaching of the Professors of the University to qualify them for the higher degrees. It would be strange, if not absurd, to have designated the College as "Mater Universitatis," if the University was not to be regarded as distinct from the College; but it may have been truly said that Queen Elizabeth founded and endowed the College, "et Academiæ privilegiis ornavit." This is all that is said on the subject in the preface or preamble to the Caroline Code of Statutes for the College in which the "leges Academiæ" are expressly recognised as the code of the University. In the Charter of King Charles I. there is nothing whatsoever to indicate that the College and the University were not to be considered as distinct, though not independent bodies.

In the exercise of their powers the governing body of the College appointed the University officers (except the first Chancellor, and after the Charter of King Charles I., the Vice-Chancellor); they prescribed the preliminary acts and exercises for obtaining, and provided suitable regulations for the conferring of, degrees, by which a concurrent voice was given to the Senate of the University. This was not only a confirmation of the fitness of those who obtained degrees, but was also a guarantee to the public that the power confided as to the conferring of degrees was properly exercised.

One corporation may be made out of another; and under the same Letters Patent or Royal grant, a body corporate may be constituted for a limited purpose and to act concurrently or conjointly with another body. The governing body of the College could act with the Senate of the University in relation to the conferring of degrees, without prejudice to the distinct character and constitution of the two corporate bodies of the College and the University.

So far the intention is manifest that the University should be a distinct but not an independent body. With its appropriate head, its succession of Doctors and Masters, its perpetuity of privilege, its proper officers, its Senate, its professors and schools, and its leges Academiæ, it is (as it seems to me), a distinct incorporation.

The late Lord Chancellor Blackburne, on the 11th December, A.D. 1858, when he was Vice-Chancellor of the University, communicated to the Senate a formal and deliberate opinion, in which he observed that, "through the agency of the Chancellor or Vice-Chancellor, and other proper officers, for whose perpetual appointment the Crown had made ample provision, the power to grant degrees was insured to continue for all time. The state of things" (he said) "that had continued for above 250 years was in exact conformity with the intentions these provisions indicate. That, in addition to these and other considerations of a similar kind, it was to be kept in mind that the Legislature and the Crown, from the earliest period down to the time of the last Charter (21 Vict), had recognised and treated the University as a body corporate; but what was directly to the purpose was, that the Charter of the Queen recognises and perpetuates all the functions and duties of the University, and its means of exercising them in their full integrity."

The authority of so eminent a judge, whose attention had been specially directed to this subject, when he was Vice-Chancellor of the University, not only before but after the granting of the Letters Patent of 21 Vict., naturally led me at the time to accept this exposition as final. But as the learned author of the introduction to the Book of Graduates, published A.D. 1869, propounded a view of this subject which not only was at variance with this opinion of the late Vice-Chancellor of the University as to its corporate character, but also impugned the received opinion as to the import of certain parts of the Charter of Queen Elizabeth, I felt that, having succeeded to the office of Vice-Chancellor, I was in some degree called on, if not bound, to consider the several positions which he put forward, and the arguments and proofs which he offered in order to sustain them.

In the Introduction to the Book of Graduates, it is more than once asserted that the University of Dublin is not a body corporate. It is true that an eminent lawyer gave an opinion to this effect when consulted on this question, in the early part of the year 1858. But this was known to, and had been considered by, the late Vice-Chancellor of the University before he drew up the opinion that he publicly communicated to the Senate at the end of the same year. His great learning and judicial experience, as well as the soundness of his judgment, gave an impressive authority to his deliberate exposition.

In this Introduction it is said that the "true ancient notion of a University was a special society of students, although not in the strictly legal sense a corporation." It might suffice to say that the material question is not as to the ancient notion, but in what sense was the word understood by the advisers of Queen Elizabeth and of King Charles I., at the time of granting the Charters?

The case of the University of Paris is referred to, and a passage is cited from Halmagrand on the origin of that University, in which this writer says that it was formed of itself by the association of its members, and that it never had either a Regal or Papal Charter. It does not follow from this that it was not a corporate body. Blackstone says that by the Civil Law, corporations might be created by the mere act and voluntary association of their members, provided such convention was not contrary to law. Perhaps it is more accurate to say that such bodies could not assume a corporate character without the consent of the head of the State. It stands confessed that the University of Paris has been recognised by both Sovereigns and Popes, and has been granted many privileges under the name of a University. Savigny, in his work on the Roman Law of the Middle Ages,* in terms describes the University of Paris as a *corporation* of teachers; and he contrasts it with Bologna, which he describes as a *corporation* of scholars. These were the two oldest Universities. Merlin treats the old French Universities as corporations. In a learned treatise of Professor Bluntschli, of Heidelberg, on Universal Constitutional Law,† he describes Universities (especially in Germany), as they stood at first, "in the juristic-corporate sense of the word, beginning with single sciences; and, as they have become organic institutions, embracing and developing to full ripeness the entire higher scientific culture." He explains in a lucid manner the important influence of their corporate character, in securing the independence and the mental freedom that the successful study of science demands, and for which corporate self-defence (he says) is an excellent foundation. He sets forth the principal corporate privileges: the last to which he refers is the representation which is conceded to the corporations of the Universities in the Council of the nation, which (he adds) "is quite as much corresponding to its great importance for the spiritual life of the nation, as serviceable for discerning deliberations on legislation." The whole of the extract, for which I am indebted to my friend, Mr. Droop, of Lincoln's Inn, late Fellow of Trinity College, Cambridge, will be found in the Appendix. From these and other authorities it appears that the true ancient notion of an University included the corporate foundation. Sir William Hamilton, therefore, has well described the ancient Universities as "Cosmopolite cor-

* Vol. III., p. 157, 2nd German Edition.

† Vol. II., p. 367, 4th Edition.

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porations." The great authority of Savigny may suffice as to the particular case of the University of Paris. Halmagrand (on whose authority Dr. Todd has relied) was a medical writer, not a jurist.

It will be seen from what Ayliffe has said in the extract given in note A, as well as from what has been stated and explained by Professor Bluntschli, that the name of University did not originate in a "Universitas Studiorum." Its primary and etymological meaning is an aggregate whole; it is the generic name of a body corporate. In Paris it was applied to a body of teachers; in Bologna to a body of learners; and in Oxford and Cambridge to a like body of masters and scholars. It is quite true (as Dr. Todd observes) that the Universities of Oxford and Cambridge were first incorporated by Act of Parliament, about twenty years before the date of the Charter of Queen Elizabeth, under which the University of Dublin was founded. But he has not adverted to the reasons which made it expedient to have this Act passed. They are stated by Sir E. Coke.* He states that each of the Universities had divers courts, jurisdictions, and powers, by the Charters of the Kings of this realm, divers of which were not grantable by Charter, but by Parliament only; which being espied, Queen Elizabeth, who (he says) excelled all others of her sex in knowledge, both divine and human, for the love and affection that she had to her Universities, and with a view to settle and secure their rights and privileges, and quiet all controversies, procured the passing of this Act in order to confirm these rights and privileges. They were incorporated by a certain name in the Act, "albeit" (as Coke adds) "they were ancient corporations before." The Act refers to the Letters Patent previously made by the Queen or by any of her progenitors or predecessors, "to either of the said corporated bodies severally." Throughout, it recognises them as corporations theretofore and then subsisting, and confirms all their powers, rights, and privileges, that they might prosper in their study with quietness, and be free from vexatious controversies.

The Letters Patent of King James I. (A.D. 1613), may here be adverted to. The main purpose seems to have been political, as part of a plan for increasing the borough representation in his new Irish Parliament. They speak of the College as "mater Universitatis," and afterwards deal with the University and the College as one institution, proper to be represented in Parliament as one of the new boroughs. They also speak of other Colleges and Halls to be erected in the said University; thus treating the College and the University as distinct. Few of the native *studiosi* of the College had at that time obtained any of the higher degrees; and as the College (but not the University) had property with which it had been endowed, and as its influential members were Englishmen, it may have been considered important, as a matter of State policy, to keep the two bodies so bound together as to afford a sufficient pretext for making a new borough, in which the members of the corporation of the College would be the electors. Whatever view may be taken of it, it could not vitiate the construction of the Charter of Queen Elizabeth, much less that of King Charles I.

I am not aware that there is any other reason put forward by Dr. Todd in support of his statement that the University is not a corporation. Dr. Miller, indeed contended that, as a name had not been expressly given to the University by either Charter, this was a decisive objection to its claim to be a body corporate. This is akin to the objection that there was no express grant of a common seal. It has been settled (at least from the time of Lord Chief Justice Holt) that it is sufficient if the name may be implied from the nature of the thing. The maternal name, *i.e.*, the University of Trinity College, is that which is used in the treaty and the Act of Union between Great Britain and Ireland; and the local name—the University of Dublin—is found in the title and heading of the Regulæ that were drawn up by Provosts Temple and Bedell; in the Queen's Charter (21 Vict.), by which the rights and privileges of the University have been confirmed; in the 24 and 25 Vict., c. 53, which speaks of "the Universities of Oxford, Cambridge, and Dublin;" and in the 31 and 32 Vict., c. 112, in which it is called "the Borough of the University of Dublin."†

No precise form of words is required to make a corporation. The instance to which Sir Edward Coke refers, in order to sustain this position, is much to the purpose in the present discussion. Of the corporations that have been established directly by the King's Charter, the *guilds* seem to have been among the most ancient. Cowell says that one of the meanings of the word "guild" is, a "fraternity or company combined together by orders and laws made among themselves by the Prince's license." Sir E. Coke says that it signifies "contubernium seu fraternitas incorporata." "I have seen" (he says) "the Charter made by King Henry I., Textoribus Lond., by which he grants to them that they shall have guildam mercatoriam; and a confirmation of it made by Henry II., by which Charters they were incorporated." In order to show that it was not necessary that a corporation aggregate should have a head, he relies on the case of the guilds as decisive. "For at first (he says) the greater part of corporations were bodies without any head, by force of these words, guilda mercatoria." He had in a previous case stated that "the king may erect guildam mercatoriam, *i.e.* a fraternity, or society, or corporation of merchants, to the end that good order and rule might be by them observed for the increase and advancement of trade and merchandise."

When a corporation has been duly created, there are incidents which are tacitly annexed. These include the privilege of suing and being sued, taking and granting property, and having a common seal. Although often expressly given, they may well be left out, for they are implied by law.

The 'guilda mercatoria' was a corporate body, distinct from that in which the local government of the place was vested. It was one of a class of lay corporations erected for the better carrying on of divers special purposes (to use the words of Blackstone); and in this class he ranks the general corporate bodies of the Universities of Oxford and Cambridge.

'Universitas' as importing a corporate body, whether of accredited teachers and matriculated learners, or of either, constituted for the purposes of instruction in arts and faculties and for the advancement of learning, is surely as much entitled to have its import allowed in a Charter of the Sovereign, as the word 'guilda' in the case of merchants or traders. And the more so, where the other provisions plainly indicate the intention that the society or fraternity shall be perpetuated without disruption of its continuity or interruption of its franchise. Cowell's work was published a few years after the date of the Charter of Queen Elizabeth, and about thirty years before the Charter of King Charles I. His explanation of 'Universitas' may therefore be taken to be what had been and then was the accepted and applied sense of the word in England. It is but reasonable to suppose that it was used in this sense in these Charters. It plainly was so used in the title of the 'Regulæ,' and in the formula of supplication for a degree. In addition to this, the recognition by the Crown and Legislature to which the late Lord Chancellor Blackburne has referred, seems to be sufficiently decisive.

The next position which I proceed to notice is as to the true import of that part of the Charter of Queen Elizabeth that relates to the privileges of the *studiosi*. Dr. Todd, in his 'Introduction' to the Book of Graduates, says that the real meaning of this part has been generally misunderstood, and that it seems to have been misunderstood even in the Charter of King Charles I. He contends that the *studiosi* were not only invested with the privilege of obtaining degrees, on fulfilment of the conditions prescribed, but that the power was given to them and not (as commonly supposed) to the Provost and majority of the Fellows, to elect, create, nominate, and ordain the University officers, such as the Vice-Chancellor, Proctors, &c.; whilst the election of a Chancellor (after the first) was confided to the Provost and major part of the Fellows. In order to sustain this contention he sets out in a note (p. xxii., d.), what he describes as "the whole passage of the Charter." But in the text of the same page of this Introduction it will be found that the sentence with which his extract begins is said to be immediately connected with a cause that is before set forth (p. xx). He gives a sufficient reason for omitting from his extract the clause that intervenes, inasmuch that it merely defines the duration of a Fellowship, and is not relevant to the question as to the *studiosi*. But I cannot find any reason for the omission of the preceding clause which

* 4th Inst., 227.

† In the Letters Patent of I. Geo. III., where the University of Oxford is described as celeberrima Academia Oxoniensis, the University of Dublin is described as Academia illustrissima Dubliniensis. See also 33 Geo. III., c. 21, s. 13; Letters Patent, 34 Geo. III., 40 Geo. III., c. 34, s. 11. References might be multiplied.

is relevant and with which the clause he places at the beginning of his extract is (as he has admitted and pointed out) connected." In fact, the omission of this clause made it necessary for him to insert the word [*studiosi*] in brackets in the first clause of his extract. This word is taken from this omitted clause. In order to prevent any misconception or mistake from unauthorised punctuation or otherwise, I have extracted the whole passage as it stands in the original Charter from which I have had it copied, and with which the copy has been carefully collated. It is as follows:—

"Et cum gradus quosdam in artibus et facultatibus constitui literis fuisse adjumento compertum sit, ordinamus per praesentes ut studiosi in hoc Collegio sanctæ et individuæ Trinitatis Elizabethæ Reginæ juxta Dublin libertatem et facultatem habeant gradus tum Baccalaureatus Majesterii et Doctoratus juxta tempus idoneum in omnibus artibus et facultatibus obtinendi. Hoc semper interim proviso, ut cum hujus Collegii Socii septem integros annos post gradum Majesterii ibi assumptum adimpleverint, tum e Sociorum numero amoveantur, ut alii in eorum locum suffecti pro hujus Regni et Ecclesiæ beneficio emolumentum habeant. Et ut intra se pro hujusmodi gradibus assequendis habeant libertatem omnia acta et scholastica exercitia adimplendi, quemadmodum Præposito et majori parti Sociorum visum fuerit. Ac ut omnes personas pro hujusmodi rebus melius promovendis eligere, creare, nominare et ordinare possint, sive sit Procancellarius, Procurator, aut Procuratores (nam Cancellarii dignitatem honoratissimo et fidelissimo Consillario nostro Guilelmo Cecillio Domino Baroni de Burghley totius Angliæ Thesaurario delegatam approbamus) et ut posthac idoneam hujusmodi personam cum defuerit pro hujus Collegii Cancellario Præpositus et major pars Soci orum eligant ordinamus."

The second sentence, 'Hoc semper . . . . . habeant,' may be put in a parenthesis, or omitted altogether, as suggested by Dr. Todd. The remainder may then be divided into two parts; the one part governed by the 'ordinamus' at the opening; the same word at the close governing the other. The point of separation at the two parts is at 'Ac ut.' The subordinate clauses dependent on the same 'ordinamus' are, in each case connected together by 'et ut,' while 'ac' is used to connect the two main sentences. The words 'ut omnes personas . . . . . ordinare possint' are naturally connected with the second 'ordinamus,' not with the first. 'Præpositus et major pars Sociorum' may properly be taken as the nominative to 'possint,' as well as to 'eligant. Dr. Todd's more limited extract does not contain the first 'ordinamus,' and therefore 'et ut . . . . visum fuerit' appears in it to be connected with the second 'ordinamus.' His view that the *studiosi* were to elect the Vice-Chancellor, Proctors, &c., was never acted on. In the Introduction to the University Calendar, A.D. 1869, to which he specially refers as "containing a clear and concise history of the different Charters," this power of election is stated to have been given by the Charter of Queen Elizabeth to the Provost and major part of the Fellows. No instance has been shown in which the *studiosi* claimed or were allowed to exercise this power, to which if they had a right, they could not have been deprived of it, without their consent, by the Charter of King Charles I. We have the record of the appointment of Ussher to the office of Vice-Chancellor, A.D. 1614, and his re-appointment, A.D. 1617. In both instances he was appointed by the Provost and Fellows. The former of these was made and confirmed in the same form as the election of the Chancellor, A.D., 1612.

Thus we have the 'contemporanea expositio, quæ est optima;' and this was adopted by the framers of the Charter of King Charles I. It is, at the least, reconcilable with (if not required by) the grammatical construction of the whole passage as it stands in the Charter of Queen Elizabeth. It may be admitted that the *studiosi* of the College are to be regarded as dependent members of the University, having inchoate privileges and rights of protection. But however they may stand in relation to the corporate body of the University, their right to appoint any of the University officers is a different question. "It may seem strange" says Dr. Todd "and to modern ideas it is strange, that the nomination and election of officers of so much importance as the Vice-Chancellors and Proctors should have been committed to the general body of the University, consisting of all graduates, and even of matriculated undergraduates. But this is quite consistent with the ancient notion of a University, and is an evident proof that all matriculated students, as well as the graduates, were regarded as members of the University in the sense that has been explained" (p. xxiii). He cites from Halmagrand (p. 67), a passage, in which it is said, as to the University of Paris, that "the Rector, who was supreme governor and chief President of all the faculties, was chosen by the lowest of them all, the Faculty of Arts, which included undergraduates."

With reference to the University of Paris, the authority of Savigny is distinct, and ought to be decisive. In the passage to which I have already referred, in which he contrasts the constitution of the Universities of Paris and of Bologna, he says: "There is found from the earliest time a remarkable contrast. In Paris the corporation consists of all the teachers; these are in possession of all power; and of scholars, as merely subject members of the little state, no mention is made." In another part of the same volume of his learned work (p. 348) he controverts an opinion of Bulaeus, that besides the assemblies of regent masters and of regents and non-regents, there was another assembly which included the students; but Savigny says that Bulaeus could not point out a case in which such an assembly had been held and that the grounds for the opinion appear to be, first an incidental statement in a manuscript treatise of unknown date and origin; second, the very usual official phrase "Universitas Magistrorum et Scholarium." "But this" (he adds) "proves nothing, as in any case the students belonged to the University as dependent members, even if they had no voices in it, but were only represented by the Professors. This explanation is confirmed by a resolution, A.D., 1250 (Bul., vol. iii., p. 356), the preamble of which has the formula 'Rector et Universitas Magistrorum et Scholarium,' but the conclusion of which is 'Datum Parisiis, in nostrâ congregatione generali Magistrorum, tum regentium quum non regentium.'" With reference to the election of the Rector, Savigny says: "The Doctors of the three faculties could neither themselves become Rector nor take part in the election; both were reserved for the Master of the artists."

The earliest Statutes of Oxford are supposed to have been nearly a wholesale adoption of those of Paris. A regulation, attributed to the date A.D., 1250, requires that every scholar shall have his own master, on whose roll (matricula) his name must be entered, and of whom he shall hear one lecture daily.* Amongst the Statutes of Cambridge there is one said to be "ante annum, 1276," by which a scholar was required, within fifteen days to inscribe himself in the matricula of some Master of Arts.† I do not find that in either of these Universities the *studiosi* had any voice in the election of the University officers.

The next matter upon which Dr. Todd comments is as to the power of adopting any of the laws established in either of the Universities of Cambridge or Oxford. This he considers to be a power given with reference to the University, and not a power of adopting such laws for the government of Trinity College.

The clause in question is found in the part of the Charter which expressly provides for having laws for the good government of the College. The University had not been previously referred to except where the College is described as 'mater Universitatis.' The words of the clause are not 'leges alterutræ Academiæ,' or 'ex alterutrâ Academiâ,' but they are 'et ut quascunque leges bene constitutas senserint in alterutrâ nostrâ Academiâ, modo sibi aptas et accommodas judicaverint intra se stabiliant." As they stand in their place in the Charter, and then taken with their context, they seem to import that, in settling laws for the government of the College, the Provost and Fellows might select from the laws of any of the Colleges in either of the English Universities such as were adapted to themselves, *i.e.*, to their own College. This was the "contemporanea expositio" of the Charter by those who at the first had to exercise this power. In recording the reasons given by the Provost and Fellows for declining to surrender their Charter, Provost Temple speaks of "their Chartered privilege of procuring from the University of Cambridge copies of the best orders and laws in any of their Colleges there; and according to their said privilege, they have, upon obtaining from thence of so worthy a pattern and direction, made and enacted a certain number of Statutes for the good government of the said College—approved of

* Munimenta Academica Oxon., p. 17.
† Documents relating to the University and Colleges of Cambridge, vol. 1, p. 333.

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by the Visitors and by the Chancellor."* In a previous page his words are given thus: "We have been warranted by our Charter to entertain and establish for the government of the College any good and fit law observed in Cambridge" (p. 100). In another page the Statutes 'pro regimine Collegii' are spoken of as "framed after the best laws in Cambridge." In the Charter of King Charles I., where the power of making or establishing laws for the government of the College is taken away from the governing body, and reserved to the Crown in future, both parts of the clause in the Charter of Queen Elizabeth (the one as to making such laws, and the other as to adopting any of the 'leges constitutas' in the University of Cambridge or of Oxford) are recited, and then the Charter proceeds to take away 'hanc potestatem.' If this did not include both, why were both recited? The 'leges Academiæ" were not interfered with.

By the recent Charter (21 Vict.), the power of altering, amending, or repealing any of these 'leges Academiæ,' and of making new laws from time to time for the like purpose, is expressly given to the Provost and Senior Fellows; but, in order that such alterations or additions may be binding upon the University, it is required that they shall have received the sanction of the Senate in congregation lawfully assembled.

The result then appears to me to be this:—

1. That the College has certain University privileges which have been conferred on its *studiosi* and on its governing body.

2. That the University (properly so called) is a distinct corporate body.

3. That the *studiosi* have not, and never had, the right to elect any of the principal officers of the University.

4. That the governing body of the College had the power of making the 'leges Academiæ,' with reference to the conferring of Degrees, and were not confined to the adoption of laws of either of the Universities of Oxford and Cambridge.

5. That the true intent and purpose of the Charters and Statutes is, to deal with the College and the University as integral parts of one educational institution, in which a complete course of Instruction in arts and faculties is to be provided.

(5.)

DECLARATION of the IRISH CATHOLIC BISHOPS, 18 Aug., 1869. (Reprinted 1871, and see CARDINAL CULLEN'S LETTERS, &c., edited by CARDINAL MORAN, Vol. III., p. 404).

"Since the Protestants of this country have had a Protestant University with rich endowments for 300 years, and have it still, the Catholic people of Ireland clearly have a right to a Catholic University. But should Her Majesty's Government be unwilling to increase the number of Universities in this country, religious equality cannot be realised unless the degrees, endowments, and other privileges, enjoyed by our fellow subjects of a different religion, be placed within the reach of Catholics on terms of perfect equality. All this can, we believe, be attained by modifying the constitution of the University of Dublin, so as to admit the establishment of a second College within it, in every respect equal to Trinity College, and conducted on purely Catholic principles, in which your Bishops shall have full control in all things regarding faith and morals, securing thereby the spiritual interests of your children, and placing at the same time Catholics on a footing of perfect equality with Protestants, as to degrees, emoluments, and other advantages."

(6.)

RESOLUTION of IRISH ROMAN CATHOLIC HIERARCHY, June, 1899.

"Resolved—That we feel it our duty to protest once more, on our own part, and on behalf of our flocks, against the continued refusal of the Government to do justice to the Catholics of Ireland in the matter of University Education. The fairness and moderation of our claims have been admitted both within and without the House of Commons by the most eminent statesmen of all political parties; and we feel it our duty to recognise, with gratitude, that the ablest vindication of the justice of the Catholic claim, supported by unanswerable arguments, has been put forward by distinguished members of Her Majesty's Government, and pre-eminent amongst them, the present First Lord of Her Majesty's Treasury.

"Still it would seem that the cries of bigotry have, once more, been allowed to stifle the voice of justice, and that the Unionist party is prevented by the bigotry of a number of its own members from remedying this long-standing grievance of the Catholics of Ireland. It is, in fact, a virtual confession that where religious prejudices intervene, Unionism has failed to do justice to the Catholics of Ireland, simply and solely because they are Catholics.

"But we cannot give up the struggle. We have had to fight for all our rights, civil and religious in the past, and we mean to continue to fight for this. Turning to our own countrymen, we appeal to fair-minded Irishmen of every creed and party to aid us in compelling the predominant partner to remedy this admitted grievance. If the Catholics of Ireland would hope to overcome the stolid prejudices of religious bigotry, whether English or Irish, they have to show that they are in earnest, and they should exclude from every representative position in their gift, every man who will not press this question of educational equality for Catholics in the forefront of his political programme, and labour honestly to secure it. No one will then venture to repeat the calumny that this is more of a clerical question than of a national grievance. It will convince the British Parliament that justice must be done.

"There are only two possible courses—to level up or to level down. Not a shred of ascendancy must be allowed to remain in Ireland. It is high time that the whole country should acknowledge with one voice, by what moral right one hundred thousand acres of the soil of Ireland are reserved for the education of a small section of the community in Trinity College. Whatever it may be in theory, in its practical working that establishment is now, what it has always been, anti-Catholic and anti-Irish. It is true, that if justice cannot otherwise be done, its ample revenues should be used for the good of the nation.

(7.)

EXTRACT from the ADDRESS of the Most Rev. Dr. ALEXANDER, Archbishop of Armagh, Lord Primate of Ireland, presiding at the Second Session of the Eleventh General Synod of the Church of Ireland, on the 8th of April, 1902.

(From the *Daily Express*, April 9th, 1902.)

"I wish it to be clearly understood that I am not speaking as the mouthpiece of my brother bishops, or as representative of their opinions, unless when I claim to do so. The idea of University Education requires first consideration of the fundamental distinctions between Schools and Faculties. We shall then be in a better position to consider the question now before the Royal Commission. Let us look at

* Barrett MSS., p. 204.

the fundamental difference between the work of various kinds of Superior Schools and University Faculties. The School, public or private, is simply an institution where the instruction required for immediaet use in a calling or profession is given. Any young man who must, from circumstances, nail himself for a profession early in life, must nail himself for a certain time to the acquisition of selected and detached bits of knowledge, modern languages, chemistry, engineering, or whatever it may be, Schools of agriculture, music, commerce, are schools in view of a determinate career, their end is not ἐπιστήμη in the higher sense or σοφία but τέχνη. We should take care that Schools do not usurp the name of Universities. The School is entirely practical, the Faculty is concerned with a unified and consolidated system of study. The High School occupies itself with the factual and experimental; the Faculty, with the ideal and universal. It is "Generale Studium," and the general education links the young man to the general intellectual life of humanity. Logic classifies, history stratifies, poetry beautifies, philosophy unifies his knowledge (hear, hear). Attention is developed by mathematics, history gives fulness, philosophy gives strength, poetry gives elevation to the mind. A country must greatly suffer whose young minds have only a parsimonious admeasurement of studies to some definite future utilitarian object. It has been said, with some measure of truth, 'Fear the man of one book;' but a man trained to focus all his thought upon one subject only will not be a thoroughly good judge, in some respects, even of that one. The general education of his judgment will not only increase his knowledge but his power. Now, considering all things, the number of young men in a country like Ireland, who want University training is not so very large. They want superior Schools of every kind. What young men require to help them in their career lies in the multiplication of these, not in the multiplication of Universities. I object, and so, I believe, do all my right reverend brethren, to the foundation of a new denominational University in Ireland (applause). But does this force us into the painful position of refusing in any way to meet our fellow-countrymen, who call for a higher education in consonance with their religious principles and scruples? Devout members of the Church of Rome, of whom their Church and their country are justly proud, have gradually shown that their conclusions arrive at the point to which I would direct you. Is there then any plan—first, having some roots in the past; second, likely to secure maintenance of a high standard of University Education; thirdly, affording a genuine redress of a grievance, and thus likely to stop further agitation for further relief? Is there any thing which may embody these three conditions? As Ireland has not a sufficient population to support more than one efficient University why should not the difficulty be boldly solved on the basis of absolute equality for all instead of a series of poor makeshifts? Might there not be two or possibly three constituent colleges in one great National University that might be called fitly and properly the University of Ireland (hear, hear)? Some months ago, entirely groping my own way, I found with pleasure help and support by a coincidence with the thoughts of one of the most distinguished of my own clergy, not only a man of ability and culture, but practically in touch with such questions during many years of honourable service. Lately we have had something of importance from a Roman Catholic gentleman of whom his Church, his University (Dublin), and his country are proud, who possesses the impartial spirit of a great magistrate, the severe discipline of varied studies, and the sweet reasonableness which would respect every conviction that is reasonable. Every brick in the structure of his argument has been rung and measured before it was laid.

"The ideal solution, according to the Lord Chief Baron, is the establishment of a college as Roman Catholic as Trinity College is Protestant, affiliated with and a constituent of Dublin University. He argues that the advantages would be three-fold—(1) the bringing together of students of different denominations; (2) the magic and prestige of a university open to all Irishmen; (3) the level of University Education kept up to a high standard. All the conditions to which I have advert d could, he thinks, be fulfilled. The Catholic Relief Act of 1793 (33 George III.) enabled Roman Catholics "to take degrees and hold professorships in a University College, subject, however, to two conditions; first, that the College should be thereafter founded, thus excluding Trinity College, and, secondly, that it should be a member of the University. Therefore, the provision then contemplated for the education of Roman Catholics was a College in the University of Dublin, not being Trinity College." (Royal Commission, Minutes of Evidence, p. 128). By this solution we should have an establishment (1) having its roots in the past; a witness that even in days of ascendancy there were not wanting tolerant and liberal men; (2) a portion for all Irishmen in the prestige of Trinity College, Dublin, and (3) a final deliverance from mischievous and violent agitation. Some great difficulties might, after all, remain in carrying this solution into practice—*e.g.*, the appointment of a Senate of sufficient literary and scientific eminence, and agreement in and maintenance of a high standard of examination. Difficulties, indeed, may be raised by ingenious minds, not single riddles like those of Samson, but whole families of conundrums. I have not had the presumption—I have not had the insolence or the effrontery—to think that these words of mine, from this chair, could produce influence on the minds of the many men here present, who are more able by far than I am to look practically at this question. The solution which struck the Chief Baron also struck me at an early time, and I had the pleasure of conversations with a clergyman of my diocese, highly distinguished as an educationalist. I speak as a man in the street, but there is our Church in the country, our University, and there is a mass of expert opinion upon education in our great University of Dublin—men of expert knowledge on the subject of education, and I hope that the members of that great University with its ancient traditions as a guardian of learning in this land—I hope they will study this remarkable piece of evidence, and, acting as heretofore as guardians of science and learning, will calmly judge whether this is possible or impossible, whether it is a chimera or not, whether it can be carried out in practice and so be workable. I ask forgiveness from the House for the length at which I have addressed it (no, no), indeed for touching upon the University question at all. It is one to which at any time of my life I should have been unequal. But, at the late hour of that evening, I remember that tremendous touch in Koheleth's picture of the old, "They shall also be afraid of that which is high"—the foot afraid of hill and staircase; the intellect afraid of arduous subjects; the judgment afraid of decisions between contrary conclusions in matters of debate. But I have nerved myself by the consciousness that I bring to the chair to-day two objects—First, the wish to speak in a spirit which may, perhaps, be heard by those outside our communion, and assure them that there are those among us who honestly desire that any grievance which they feel may be redressed upon fair and reasonable principles; secondly, to take some part in leading members of our Irish Church to feel that Church strife is no part of Church life—that the Church has most of our Lord's Spirit which has a "look as if she pitied men" in a world of sorrow, and a tongue which blesses and curses not—knits together, and divides not (prolonged applause)."

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(8.)

EXTRACT from ADDRESS of RECTOR and ADDRESS of Past and Present STUDENTS of the CATHOLIC UNIVERSITY SCHOOL of MEDICINE, Cecilia-street, with reply of Most Rev. Dr. WALSH, ARCHBISHOP of DUBLIN, November 6th, 1885.*

The Very Rev. Dr. Molloy, Rector, read an address, which concluded as follows:—"In conclusion, my Lord Archbishop, I wish to say for myself—and I feel confident I may speak, too, for the whole academical body, that notwithstanding the bitter memories of the past, we have no desire to deprive other religious denominations of the ample endowments for University Education which they already enjoy. I would say, too, in particular, that we look with no feelings of hostility, but rather with feelings of friendship and good-will, to that great seat of learning close at hand, which, founded three centuries ago, and working on the material supplied by only a small section of the Irish people, has kept the lamp of learning alight in the country, and has produced a succession of distinguished scholars who have made the fame of Irish genius illustrious in the present as it was in the past. Nay, I would even say that we offer no opposition to the endowment of those, if any such are to be found in Ireland, who really desire for themselves a form of University Education set free from the guiding control and influence of religion. But we protest with all the strength of our nature against the attempt to force such a system on the unwilling Catholic people of this country; a system, I may say, which in its very conception would banish not only theology from our halls, but history and philosophy as well; a system which is at variance with the traditions of all the most venerable universities of Europe, at variance with the best memories of our own history, at variance with the living spirit that animates the Ireland of the present day. We respect the rights of others, but we are determined to uphold our own. And, therefore, we come forward to-day on behalf of the Catholic people of Ireland to ask that they shall no longer be excluded from the public endowments for University Education on account of their religion; and that being admitted to a share in these endowments they shall be admitted on conditions of perfect equality with other denominations in every department of learning—Arts, Medicine, Engineering, and Law. So far as I know the history of the Irish University question, we have never asked for more than this, and I feel perfectly certain we shall never be content with less (loud cheers)."

Mr. Edmond J. M'Weeney read the following address:—

"May it please your Grace,—We, the Past and Present Students of the Medical School of the Catholic University of Ireland, beg to offer your Grace the expression of our heartfelt joy at seeing you preside as our Archbishop on this occasion. We approach your Grace with the more confidence, as in the students of this School the tradition of the Catholic University has never been broken. Had we lost that tradition or disregarded the injunctions of the Irish Episcopate, the School should long since have closed its doors. In coming to this School we have sacrificed the greater teaching advantages and the still greater public influence of other institutions. But we have the satisfaction that in so acting we have materially helped forward the question of Irish University Education. We hail your Grace's presence here as an indication that the sacrifices of the Catholic University students will at least be recognised by the Bishops of Ireland. We have watched with pain the course of appointments in the purely Catholic hospitals of this city. We have given to them our undivided loyalty. They have not been as generous to us. We look for justice to your Grace. Whilst we have so proved our loyalty to the principle of denominational education we do not fear a common standard of examination for all the students of our fatherland. We look forward to some settlement of this question which shall give us a great National University. We have a National Archbishop in the See of Dublin; we have but one more aspiration—a National Parliament in College Green.

Signed on behalf of the past and present students,

"EDMOND J. M'WEENEY."

His Grace the Archbishop of Dublin, who was received with prolonged applause, said—Very Reverend Rector, Mr. Dean, Mr. M'Weeney, and Gentlemen—Before proceeding to thank you for the kind addresses that have been presented to me from the Medical School, I think that I am called upon to say a few introductory words in reference to the address that has been read by the Rector of the University. The words in which Dr. Molloy has set before us the successes of the Catholic Colleges of the country at the recent examinations of the Royal University, are noble words, and in every way worthy of him and of the high position that he fills in our University.

I take then, this, the first opportunity I have had publicly to protest against the action of a high official of another University who in a manner that I do not now care to characterise took it upon himself on a recent occasion, publicly to ignore our Catholic University, all but ignoring the very existence of many of its Colleges, and doing his best to keep in the background their signal successes (hear, hear). I should say more upon this subject now but that I have already taken another means of making a public protest against the action of the high official to whom I refer (cheers). That protest will be in the hands of the public to-morrow morning, and I am therefore relieved of what otherwise would be the painful necessity of entering at length upon the matter here to-day. I beg to thank you for your kind words of welcome, and to assure you that I cannot myself regard my coming to your school to-day in any other light than as the performance of a most pleasing duty (cheers).

My visit to you has indeed hindered me from being present at the obsequies of one of the most venerated members of our Irish Hierarchy—the Bishop of Down and Connor—whose funeral, as many of you know, takes place to-day in Belfast—a prelate of devoted zeal in the discharge of every pastoral duty, a true Irishman, and one of the staunchest champions of the cause in which you, as Professors and students of our Catholic University, have so deep and personal an interest (loud cheers). But deeply as I must regret my absence from that solemn ceremonial, I have felt that even with that drawback my place to-day was here with you, the representative of the Medical Faculty of our University (continued cheering). After all the arrangements had been made for my coming to you to-day, you most considerately offered, while there was yet time to do so, to make in your programme the change of a day so as to enable me to be present in Belfast without breaking my engagement with you. I feel it is but due to you that I should thus publicly acknowledge the consideration which you have shown, expressing at the same time my deep regret that the fact of my not having received timely, or indeed, I may say, any notice of the funeral arrangements of the venerated Bishop until I read them in the Dublin newspapers of Wednesday, made it impossible for me to avail myself of your kind proposal, so as to enable me to keep my engagement with you without being absent from a ceremonial at which on so many grounds, I should have felt myself bound to be present. And now that I am here, turning in the first place, to the address presented to me by the Dean, Professors, and Officers of the Faculty, I am glad to find so cordial a recognition of the interests which, as you truly say, I take in the progress of this Medical School (loud cheers). This, as you remark, is indeed my first official visit to the school. But it is very far from being the first time that I have had the pleasure of being here. Indeed I am not sure that, with possibly an exception or two, I should not be quite safe in claiming an acquaintance with the place older even than that of any of the gentlemen, now its official directors, who have so kindly welcomed me here to-day. I have a distinct recollection of the day when the school was opened. I was present on the occasion. I was then, myself, about to become a student of the Catholic University in the Faculty of Arts. I remember the lively interest excited by the project when it came to be known, of our first Rector, Dr. Newman (loud cheers), for the enlargement of the University by the establishment of this

* From the "*Freeman's Journal*," November 7th, 1885.

Faculty of Medicine and of this Medical School. I remember the anticipations that were entertained of its speedy development and of the rapidity with which it should take possession of the vast field of work which lay unoccupied before it. If those anticipations, gentlemen, have not as yet been realised in all their fulness, it can indeed be said with truth that the delay is not to be accorded to any fault or shortcoming of yours or of those who have gone before you, whether as officials or as students of the school, but exclusively to another cause—the tardy coming of that better day so hopefully looked forward to from the beginning by the generous Englishman, our first Rector, when in one of those marvellously beautiful addresses of his, he spoke of that coming time in the future history of our country, "when England taught" as he said, "by advancing years, may exercise in behalf of Ireland that good sense" which, from a sentiment, no doubt, of patriotism with which Irishmen indeed should be slow to quarrel, he went on to describe as "her characteristic towards everyone else." The dawning of that better day, it has, beyond a doubt, been reserved to us to witness (cheers). The demand for justice so calmly, yet so confidently put forward in your address, is indeed one that in the earlier days of which I speak, no sane man would have ventured to put forward. What was then looked for, if I remember aright, was the bare permission to educate ourselves. What we looked for was that a student who had received his training in this school or in the schools of the other Faculties of our University, who had here reached to the requisite standard deemed sufficient for the winning of a degree in any other University, and who then claimed from the authorities of the State the official stamp of an University degree, might not be shut out from all hope of obtaining it, and shut out merely on the insulting plea that he had gained his knowledge here in our own schools having chosen to do so rather than to run counter to the dictates of his conscience, or to fail in respect for the Supreme Authority of the Church by seeking his education in some other school, conducted on some other system which that authority had emphatically condemned (loud and continued cheering). That bare permission, if I remember aright, was all that we then looked for. But our aims, thank God, are higher now (cheers). We have ceased to debase ourselves by asking for bare toleration (cheers). We ask for justice, that is to say, equality with all around us (cheers). We do not seek then, on, the one hand, to be put upon any eminence above them, except indeed so far as by our own energies, and by our own exertions, we are enabled to take possession of that commanding position for ourselves (cheers). Neither can we submit to be kept down as we have so long been kept down, in the depths beneath (cheers). We claim nothing more, we can be satisfied with nothing less, than that which is our right, and please God will soon be our acknowledged right as citizens of this realm —the right as your address so pithily expresses it— to stand on "level ground" with all our neighbours (loud cheers).

You do not indeed need my presence here to-day to assure you that in pressing forward that demand by every legitimate means within your reach, you shall have my fullest, my most cordial, my most active sympathy. And I am not without a feeling of confidence that—although indeed I hope to be a regular, if I cannot be a frequent visitor to your school, to be with you at all events on such public occasions as that which we celebrate to-day—I am not, I say, without a feeling, and a strong feeling—of confidence that when my next visit to you shall have come round, the words that I may then be privileged to speak to you shall be words not of mere hopeful anticipation, but of hearty congratulation with you on the victory which will then have happily closed the struggle, the prolonged, the dispiriting, and at times, all but hopeless struggle, in which, now for over thirty years, you at all events have done your part in helping on the good cause of Catholic education (loud cheers).

This, gentlemen, is probably all that I should have felt called upon to say to you if I had not this morning received from the students of the school, the address so specially welcome to me, which Mr. M'Weeney, their worthy representative (loud and prolonged cheering), has just read. I speak of it as an address specially welcome to me. It is so on more than one ground. It contains, in the first place, the distinct enunciation of a principle which I trust it will always be my aim to keep before me as one of my guiding principles in the administration of this diocese. It is the principle that those who have made sacrifices in the cause of Catholic education by coming to this school, and to schools such as this, and by waiving, as they have so generously waived, the advantages they might have enjoyed elsewhere—that these students have a strong claim upon me as Archbishop of Dublin, and on all the Catholic Bishops of Ireland (cheers). It was a principle laid down in the legislature of our last National synod that to such students every opportunity and assistance should be afforded, and that so long as there was among them a competent candidate to put forward, every influence possessed by the members of the Irish Hierarchy should be given in favour of that candidate, to any appointment in connection with which that influence could usefully be exercised (cheers). I speak of this address of the students of the school as specially welcome to me on another ground, as indeed it cannot but be regarded as specially welcome to one who has now for some time endeavoured, as I have, to put the cause of our Catholic schools, of our Catholic Colleges, and of our Catholic University, on the broad and, as I think it, the only safe basis of a claim to recognition for good work honestly done. I tender then, to the students of this struggling school—and it is indeed the students more than any others connected with it who have borne the burthen and the toils of the struggle—I tender to you, gentlemen, my most heartful thanks for your bold and manly declaration that in the matter of University requirements—as the officials of the school have declared for themselves in the matter of University endowments—you claim no dishonouring privileges (cheers). You do not wish to have degrees conferred on you by any upstart institution, the growth of a few months, or of a few years—by any institution which, however high might be its standard of requirements, however honourable the men to whom it entrusted the conduct of its examinations, could never, or at least, could not in my time or in yours, win for itself that honourable prestige which has been honourably won, and which is still so honourably maintained by the neighbouring University of Dublin (cheers).

> Whilst (you say) we have proved our loyalty to the principle of denominational education, we have no fear of a common standard of examination for all the students of our common Fatherland. We look forward to some settlement of this question which shall give us a great National University.

Speaking, as of course I speak here to-day, solely for myself, I most cordially endorse this wish of yours. For the reason, indeed, which I indicated a few months ago, I find it impossible to discover in any other principle for the settlement of this great question, the foundation of that absolute equality which I for my part can never cease to claim as the one essential element in any scheme which is to be accepted as a satisfactory settlement of our admitted claims.

Let me quote for you one illustration of the disadvantage, that is to say, the inequality, to which we are subjected by the absence of a common standard for our degrees. Almost the last answer given before the recent Queen's College Commission, it was given by one of our foremost medical men of this city, my friend Dr. Cruise—was to the following effect—Dr. Cruise was asked to compare, under some respect or other, the degrees given by the ancient University of Oxford and Cambridge, with those given by Universities of recent growth. And speaking of those ancient Universities, he says—

> They have all the advantages and the *eclat* of tradition. We have to make way against the want of that in the Royal University, and therefore we must make our curriculum good and our examination stiff (cheers and laughter).

This is manifestly the outcome of strong common sense. The requisite goodness of curriculum we cannot and do not object to, neither can we, nor do we, object to the requisite "stiffness" in the examination. But what we do object to, and what we must continue to object to, is our being subjected to a system in which if we wish to hold our heads as high as our more fortunate neighbours are entitled to hold theirs, we can do so only by making our curriculum better and our examination stiffer than those by which their qualifications are tried (cheers). We surely have a claim to an

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equal share of prestige as well as to an equal share of everything else (cheers). Let us, then, insist upon this essential element of equality. And to show you that what I thus say is no new thought of mine, suggested merely by my natural desire to endorse your praiseworthy and manly declaration, let me repeat for you the words which I used on a somewhat similar occasion to this, when a few days after my return from Rome as Archbishop (cheers), I received an address from the students of one of our most successful University Colleges—the students of the French College, Blackrock. (Loud cheers).

Speaking to them of the constitution of the Royal University, as set up by Act of Parliament, I said—

> Stating (as you will of course understand me as stating throughout) my own individual opinion on the matter, I regard it as the first, the most formidable, and if the word be not too strong a one, the fatal defect of the structure of the new University, that it has been built upon a principle radically different from that laid down as fundamental in one of his great speeches by that great statesman, of whom, notwithstanding much that he has said, and done, and written, I cannot speak but as an earnest friend of Ireland—Mr. Gladstone (cheers). The principle so lucidly set forth in the speech in which he unfolded the nature of his well-meant, but in so many respects, sadly defective, Irish University Bill of 1873, was this, that if the University arrangements of Ireland were to be remodelled so as to admit Catholics and their Colleges to the advantages of a University system, the University to the advantages of which they should be admitted should not be a new University "hobbling and lagging" as he expressed it, behind the ancient University of Dublin. The very starting point then of his proposed reform was, that we should be admitted to the advantages of the University of Dublin itself, in which, in fact, he would have included the whole University organisation of the country. And, as he showed, by thus including it, so far would he have been from introducing any violent change into the constitution of the Dublin University that he would have rather been giving effect to one of the fundamental principles of that constitution. For, as he explained, Trinity College, Dublin, had originally been founded not as practically constituting a University, which it now does, but as the *Mater Universitatis*—meaning thereby, to quote Mr. Gladstone's words "that from the College a University was to spring up," as it soon sprang up, in fact—a University, of which other Colleges were to appear from time to time. (Hear, hear).

I then went on to refer to the ancient Charter which gave to the University of Dublin, the right of sending two members to the Irish Parliament, and which, after mentioning Trinity College, goes on to speak of the "aliorum collegiorum sive aularum in dicta Universitate in posterum erigendarum ac stabliendarum."

And now I would beg your earnest and special attention to the words in which I then concluded my reference to this branch of the question:—

> But in suggesting the amalgamation of all our University Colleges—all that are worthy of the name—into the compact union of a National University, let me not be misunderstood. That union if it is to be effected, as I believe it ultimately will be, must be effected in a way that will be in no respect unworthy of the venerable institution which now stands in so unnaturally and isolated a condition And among the other advantages to which I should look with confidence as certain to result from a settlement of the question based upon the fundamental principle of Mr. Gladstone's scheme, would be that from our present so-called University system would be eliminated much that is sadly out of place in it, which would thus, to the advantage of both University and Intermediate Education, be fixed in its own natural sphere in the Intermediate School. And you, as well as I, have by this time sufficient knowledge of some so-called University Colleges and their ways, to know that if as an essential principle of such a scheme, it were insisted upon, as of course it should be, that the same scholarship, the same amount of academic training which are now certified by a degree of the Dublin University, should be an essential condition of obtaining a University degree in the National University of Ireland, it is not from your College or from those others which form our present Catholic University organisation, that any objection to the proposal need be feared (loud cheers).

Thus, then, we are in accord as to this fundamental point.

And let me now, in conclusion, say to you—since in the closing sentence of your address you have made reference to that which you as well as I regard as a hope soon to be fulfilled—let me say to you that among the many other considerations which commend to me that constitution of an Irish National University sketched out in your address, I cannot altogether overlook the fact that, if thus constituted our University—combining within itself in admirable harmony, the two essential principles of absolute Collegiate autonomy for all Collegiate purposes, and of cordial union among the Colleges for all that concerns the welfare of the University—will thus, in its own measure and in its own sphere, represent at least in outline the essential feature of our civil constitution in that new and happy era under which it will be its good fortune to pursue its long and prosperous career (loud and prolonged cheering).

The Archbishop, when leaving, was loudly cheered by the students.

According to the newspaper report amongst those present were Very Rev. Gerald Molloy, D.D., Rector, C. U., Rev. Dr. Haughton, T.C.D., Rev. Dr. Reffe, University College, Blackrock, Dr. Shaw, T.C.D., Rev. Dr. Delany, Rector of the Catholic University College, Dr. F. Conway Dwyer, Dr. C. J. Nixon, Dr. Birmingham, and Dr. Cox.

(9.)

THE UNIVERSITY QUESTION.

LETTER from the BISHOP of LIMERICK.

(Reprinted from the "Freeman's Journal" of March 20th, 1902.)

We have been requested to publish the following letter addressed by the Bishop of Limerick to a correspondent who asked his Lordship's opinion of the movement in favour of seeking a solution of the University problem by the establishment of a Catholic College beside Trinity College in Dublin University:—

DEAR SIR,—

In reply to your inquiry as to my opinion of the movement which has been set on foot in Dublin for the solution of the problem of University Education in Ireland by the establishment of a Catholic College beside Trinity College in Dublin University, I have to say:—

(1.) That in so far as this is a sincere movement, carried on by men who are at the same time loyal Catholics and intelligent educationalists, it is deserving of the fullest and most open consideration, but that as I believe that some of those who are behind it are much more anxious to wreck the present Commission than to forward the interests of religion or education, I should be disposed to be cautious in co-operating with them.

(2.) Looking at this proposal in itself, and keeping within the limits of its express terms—namely, the establishment of a second College within Dublin University—I see nothing in it to which on *a priori* grounds I should object. The difficulties which may be in the way in consequence of the peculiar relations between Trinity College and Dublin University might be removed by legislation, and I dare say, too, that it might be possible to organise the new College in accordance with Catholic principles.

But in my opinion it will not be found possible to so limit this scheme. Once you set Dublin University free from the control of Trinity College, and introduce another autonomous College into it, you will be carried by the necessities of the case to a far wider solution. Let me suppose that, as far as Catholics and Episcopalian Protestants are concerned, all difficulties are removed, and that they agree to lie down in peace beside each other in their respective Colleges in Dublin, we are at once confronted with the question as to what is to be done with the Presbyterians and Belfast. If they come before Parliament with a claim to be admitted to Dublin University on equal terms with Catholics, it will not be found quite easy to refuse them. Then the Royal University is gone, and Cork has to be provided for. Cork is a great intellectual centre, and no settlement can disregard its claims. It too must come in, and thus we have gone beyond a mere dualism in Dublin, and arrived at a National University with a federation of Colleges.

Now I do not for a moment put this forward as an objection. It is a solution that has much to recommend it, although open to criticism from the educational point of view. But I think it is important for those Catholics who are pressing for a College in Dublin University to realise from the first how far their scheme, which looks so attractive by its very simplicity, may carry them, through its own logical and practical development.

(3.) There is another consideration, too, of some importance. Under the terms of reference to the Royal Commission, which has two most eminent lawyers at its head, this solution which we are discussing happens to be the only one which the Commission cannot consider, much less recommend. Whether it be a good solution or a bad one, the effect of successfully pressing it now must be to frustrate the work of the Commission. I am not quite sure that by some persons this result would not be accepted with great equanimity. But for those of us who have the interests of Catholic education at heart, it seems a clear duty not to play the game of our enemies with our eyes open. Therefore, before we paralyse the Commission, let us at least have some assurance from some authoritative quarter that this College in Dublin University is to be had.

I have understood that the limitation of the reference to the Royal Commission was not introduced accidentally or lightly, but for the express purpose of giving effect to the deliberate policy of the Government, as enunciated by the Lord Lieutenant in his reply to the deputation from the Royal University, which asked for the appointment of this Royal Commission. His Excellency then stated that a condition governing the granting of the Commission should be the exclusion of Trinity College from the purview of its inquiries, and I believe that it was generally understood that the object of imposing that condition was to relieve the natural anxiety which the friends of Trinity College might feel if its position were rendered insecure. Now, it seems to me, that the agitation set on foot by certain Catholics in Dublin runs counter both in the letter and in the spirit to these terms. Whatever has to be said as to the precise nature of the relations in which Trinity College stands to the University of Dublin, I think we shall all agree that it would be impossible to erect a Catholic College in the same University without making great and far-reaching changes both in the University and in Trinity College, and for myself, I am persuaded that such changes will never, at least under the present Government and Parliament, be imposed on Trinity College from without. The movement for so revolutionary a measure must come from within, and, I should say, with practical unanimity. A half-hearted suggestion on the part of a few Fellows will not do. The whole Academic Body, and the Parliamentary constituency of the College should be in favour of the change, and I am convinced that with what we know of the division of opinion in the Cabinet, in Parliament, and in the constituencies in England on this question, a minority in Trinity College would be able to defeat this scheme at the present time.

If I am right in this view then it seems to be not only foolish but mischievous to paralyse the Commission by advocating it before we have any formal pronouncement from Trinity College itself.

(4.) Besides Trinity College we have to consider the feelings of the Body of Irish Protestants. For tactical purposes they are ready enough to declaim about the National and undenominational character of Trinity College and Dublin University, but we know well that they regard them still in the spirit of the centenary celebrations in St. Patrick's Cathedral, a few years ago, as a great Protestant institution, in which their religion is still established and endowed, and their clergy educated. We have to ask ourselves how will they regard this proposed introduction of a Catholic College? Will they assent to the deposition of Trinity College from its place of vantage in the University and consent to stand on a footing of equality with their Catholic fellow-countrymen? If they do, and show a broadminded and patriotic spirit, then the way is clear, and we may be able, at "a round table conference" of Catholics, Protestants, and Presbyterians to relieve the Royal Commission of all further trouble. But if they do not, if they say "hands off Trinity," I should like to know what probability there is of the present Government disregarding their protest, and imposing our College upon them. For this reason it seems to me to be the obvious duty of those Catholics who are now moving on their own account, to learn what are the views and feelings of the leaders of Protestant opinion. If they find such men as Dr. Alexander, Dr. Peacocke, Mr. Lecky, and Sir Edward Carson, the Provost of T.C.D., and Lord Justice FitzGibbon, in favour of this change, and prepared to commit themselves to it formally and publicly, then they will have strengthened their position considerably, but if, without any binding assurances from Trinity College, or the Protestant Body in Ireland, they press this scheme in so far as it is a means of killing the present Royal Commission, they will assume a heavy responsibility, and will probably succeed in sending us, Catholics in Ireland, back into the wilderness for the rest of our lives.

I am sorry to observe that the very terms of the statement which they are circulating seem to lend support to this apprehension. Just consider the third paragraph of it:—

"If the Commission should be of opinion that the consideration of the proposal we recommend is outside the scope of the present inquiry, it would be a matter of regret to us that the Commissioners should be unable to deal with the whole subject in all its aspects, and should find themselves bound to make what must necessarily be an incomplete report."

While there was any uncertainty about the interpretation of the terms of reference to the Commission, this hypothetical form of regret would have been well enough, but if the authors of it weighed their own words, they would see that after the formal decision of the Commission, which everyone of them knows, these words either mean nothing, or are a covert invitation to the Commission to shelve the whole question.

I am, &c.,

✠ EDWARD THOMAS,
Bishop of Limerick.

Limerick, St. Patrick's Day, 1902.

DOCUMENTS, VI.

VI.

Pamphlet on the relations of the University of Dublin and Trinity College, Dublin, by His Grace the Most Rev. William J. Walsh, D.D., Archbishop of Dublin.*

INTRODUCTION.

I have recently felt called upon, on more than one occasion, to put myself in opposition to a movement, which, I have observed, is being worked up of late with great persistence. It is a movement the success of which might easily bring disaster upon our claim for justice in the matter of University education in Ireland. For it would mean the shutting up of one of the few roads that have hitherto been left open to the Catholics of Ireland in their struggle for a settlement of the Irish University question on the basis of full religious equality with their Protestant fellow-countrymen.

The movement I refer to is a skilfully-planned one, and it is being worked out not without some skill of a certain kind.

The plan is simple enough. The Royal Commission, now sitting, is to be called upon by Irish Catholics—in the interests, we are assured, of the Catholics of Ireland themselves!—to recommend in its Report the construction of a makeshift scheme based upon the continuance, in some shape or other, of the anomalous organisation known as the Royal "University," with a College therein for Catholics. We are asked to believe that it is a mere waste of time and of energy for the Catholics of Ireland to look for anything better than this!

The prospect, however, is held out to us that the future will bring us something better, and that, some time or other,—presumably when the question is again gone into by another Royal Commission,—our Catholic College in the Royal University, or so-called University, may be raised to a position of some respectability in the world of University education. We are even encouraged, indeed, to hope that if we are only as moderate as we ought to be in putting forward our claims just now, a time will surely come—near or distant as that time may be—when the Catholics of Ireland, then living, may have the satisfaction of seeing their College raised to an eminence such as that upon which the Protestant College of the Holy Trinity in Dublin at present stands, and has stood for centuries, in possession of a University of its own.

Meanwhile we, Irish Catholics of the present day, are to be satisfied with whatever we can get, and we are by no means to presume to insist upon being put upon an equality with our betters.

Now, I have felt it a duty, especially on two main grounds, to protest against this temporising policy.

First, it is a policy that involves an abandonment of the line upon which, ever since I have had anything to do with the advocacy of their claims, the Catholics of Ireland have held their ground,—the line, indeed, upon which they have held their ground with unflinching firmness ever since they had sufficiently emerged from the servitude of the penal times to think at all of raising a claim to be treated with justice in the matter of higher education in their own country.

But again, the movement that is now being pushed forward has to be protested against on another ground. The only basis that can be claimed for it, even by its organisers, as giving it the smallest foothold in the public life of Catholic Ireland to-day, is a dishonouring one. It is the mischievous suggestion that the inutility of looking for any settlement of the Irish University question on the line of equality for the Catholics of Ireland, is fully recognised by us, Irish Catholics, ourselves.

Witness after witness has gone before the Royal Commission now sitting,—prominent laymen and prominent ecclesiastics,—representatives of every class and section of the Catholics of Ireland, all united in claiming a settlement of the Irish University question on the line of equality. No matter. All this is to be set aside as a mere futile, not to say hypocritical, expenditure of words.

Then, as if to strengthen the hands of those who may be only too willing to seize upon any pretext, no matter how flimsy, to postpone still further the concession, so long overdue, of justice to the Catholic body in Ireland, a miserable scheme of so-called reform has been formulated, a scheme, against which,—I grieve to have to say it,—scarcely a voice has been raised in protest. Voices raised in protest? Quite the contrary. Misleading clouds of dust have been skilfully raised. False scents have been skilfully laid. And, as was easy to anticipate, all this has been done not without a certain measure of success.

Then see what this scheme is that is being allowed to hold all but undisputed possession of the field. It is a scheme embodying a practical avowal that, in putting before the Royal Commission our claim to equality, we have, all of us, been only acting a part, and that if we would but tell the truth, we should have to confess that the Commission will give us all that we are really in earnest in looking for, if they simply patch things up, as best they can, on the line of the endowment of a mere College for Catholics,—a College, put, as it would appear, more or less upon a level with institutions such as the Queen's Colleges of Cork and Galway, by being grouped with them under the cover of a reconstructed Royal, or other so-called, University.

Three ways to the attainment of equality,—which in this matter means, and must mean, religious equality,—have been pointed out to the Catholics of Ireland by their Bishops. There may be some fourth way. But no one has ever yet suggested it. The three ways are:—

1. A Catholic University.
2. A Catholic College, on a footing equal in all respects with that of Trinity College, in a common, or National, University,—in so far as such an organisation could really be a University,—embracing within it all the University Colleges of Ireland without exception.
3. A Catholic College, on a footing equal in all respects with that of Trinity College, in the University of Dublin.

We, Irish Bishops, have never committed ourselves, and we have never allowed ourselves to be committed, to the choice of any one of those three lines of settlement, to the exclusion of the other two.

In a statement of our view upon the whole case, published by us in 1896, we said:—

> "What then do we claim? Simply *to be put on an equality with our Protestant fellow-countrymen.* We take Trinity College, Dublin, with its endowments and its privileges, and seeing what is done by public funds and legal enactments for half a million of Protestants of the Disestablished Church of Ireland, we claim that at least as much should be done for the three and a-half million Catholics.
>
> "We do not seek to impair the efficiency of any institution. We do not want to take one shilling from the endowments of any other body. We look—apart from the consideration of our own inequality—with much admiration and sympathy upon the work which Trinity College and the Belfast Queen's College are doing. But we ask, as a mater of simple justice, that the Catholics of Ireland should be put upon *a footing of perfect equality* with them.

* "Trinity College and the University of Dublin." By the Archbishop of Dublin. A Reprint, with an Introduction and Appendices. Dublin: Browne and Nolan, 1902.

"*How that equality is to be reached,* it is not for us now to define.

"We have stated on many occasions that we are *not irrevocably committed to any one principle of settlement,* and *whether that settlement is carried out through a distinct Catholic University or through a College,* we shall be prepared to consider any proposal with an open mind, and with a sincere desire to remove, rather that aggravate, difficulties."[1]

These few paragraphs sum up all that we have ever said upon this aspect of the case.

We have always gladly welcomed anything that we could regard as even a faint indication that the claim for the establishment of a Catholic University was being favourably considered. At the same time, we have never ceased to declare that the one thing to be insisted upon, in the matter of University education—as in everything else—in Ireland, is that the Catholic people of this country have a constitutional right "to be put upon a footing of perfect equality" with their Protestant fellow-countrymen.

Under what particular form of University constitution that footing of perfect equality is to be secured, is a matter upon which we, the Bishops of the Catholic people of Ireland, have never taken up—and are never likely to take up—any position that could delay for a single day the settlement of this great question.

This has always been our policy,—the policy of the open door.

The attempt now being persistently made, not merely to close up one of the three doors that have up to this been open to us, but to insist that it is all a delusion to suppose that any such door ever existed, would, of itself, call for emphatic protest. But the movement with which the advocates of a policy of justice,—that is to say, of equality,—for the Catholics of Ireland are at present confronted is of a specially insidious kind. It is not merely an attempt to close up one of the three still open doors. It is an attempt to do this, made by those who start from the assumption that the two other doors are already securely barred against us.

Fortunately, if this temporising scheme has found but few to take the trouble of opposing it, it has found, as yet, even fewer advocates. So far indeed as I know, no one but the writer of a letter written in advocacy of the scheme, and published in some of the Dublin newspapers, has come forward openly in its support. But there are schemes,—and this apparently is one of them,—that can best be pushed forward by other than open means.

For my part, I have felt that I had a duty to discharge, and I have, to the best of my ability, discharged it.

So far as I am personally concerned, I can have the satisfaction of feeling that if, as a result of the Report of the Royal Commission, the Catholics of Ireland find themselves run in upon the rocks of the discredited Royal "University," no one will be in a position to say that, foreseeing the danger, I neglected to sound a timely note of warning, or that, if our claim to equality in the matter of University education in Ireland is shipwrecked, the wreck has resulted from any negligence or inaction of mine.

It has been suggested to me that I should reprint for publication in a pamphlet two papers of mine, written in connection with all this matter, which were recently published in the *Irish Ecclesiastical Record.*

In acting on the suggestion, I have taken advantage of the opportunity to publish also the full text of an interesting judgment delivered in 1888 by the present Master of the Rolls.

It is a judgment that has indeed nothing whatever to do, directly or indirectly, with the possibility, or the impossibility, of any line of settlement of our Irish University question. The one thing that the learned Judge had to do in the case,—and of course the only thing that he did,—was to interpret judicially what a certain Mr. R. T. Reid, of Bombay, a former student of Trinity College, meant when he bequeathed his property to "the Corporation of the University of Dublin." The decision of the Master of the Rolls was that when Mr. Reid said "*the Corporation* of the University of Dublin," he meant the legally incorporated body of "the Provost, Fellows, and Scholars of Trinity College."

From a strange misconception of the purport and effect of a judgment in such a case, this judgment of the Master of the Rolls has been quoted in a letter published by a member of the Irish bar,[2] as a solemn" "judicial" decision that the University of Dublin is Trinity College, and that Trinity College is the University of Dublin!

It was this misconception,—and consequent misstatement to the public,—of the purport of the judgment of the Master of the Rolls, that led to the writing of my paper in the March number of the *Irish Ecclesiastical Record.*[3]

As I there stated, the only copy of the judgment to which I was able to have access when writing that paper, was a type-written transcript, made for me from a printed copy in the Library of Trinity College. Since then, however, a volume[4] of Charters, Statutes, and other documents relating to Trinity College and to the University of Dublin,[5]—one of the documents being a report of the judgment in question,—has been published, or, as I should perhaps rather say, has been put on sale to the public.

The judgment, as I stated in my paper, is not reported in the *Law Reports.* The report of it that has recently been given to the public is, I understand, one that was specially taken by a shorthand writer for the use of the authorities of Trinity College. I have not, of course, felt at liberty to republish this presumably copyright report without first obtaining the permission of the Board of Trinity College. I have to acknowledge the readiness with which that permission has been given.

As a connecting link between my two papers here reprinted from the *Irish Ecclesiastical Record,* I have reprinted also a letter of mine that was published in the *Freeman's Journal* a few days after the publication of the first of those papers.[6]

Within those few days, the letter,[7] already referred to had appeared. In the view unaccountably taken by the learned writer of that letter, the idea of there being any distinction between Trinity College and the University of Dublin had been finally disposed of, fourteen years before, by the judgment delivered by the Master of the Rolls in the case of Mr. Reid's will. That judgment, it was alleged, had "solemnly" and "judicially" decided,—and decided, moreover, in a manner that placed it beyond "argument" or "criticism,"—

> That Trinity College is the University of Dublin in every particular, and that the University of Dublin is Trinity College.

It was added that the erudite and elaborate judgment in which the truth of these propositions had not only been solemnly and judicially decided but had been placed beyond argument or criticism, was "public property," and could "be read by any person,"—the exact date of the judgment being considerately given, "to make it easy of reference."

All this pointed very plainly to a report of the judgment in the recognised *Law Reports,* which are in every lawyer's library. But, strange to say, no report of the judgment was to be found there.

Whilst endeavouring to trace the whereabouts of this mysterious piece of "public property," and, if possible, to get access to it, I could do no more than offer to the public such conjectures as occurred to me, as to what the true nature and effect of the judgment, when discovered, would, in all probability, be found to be.

My letter, written in such circumstances, can be of little permanent interest or importance. Still I have thought it right to reprint it here. I do so, not at all because my conjectures put forward in the letter have been verified, as they have been, in every particular, but because I desire to print in this pamphlet, together with the judgment that has been very improperly dragged into public controversy, every statement that I have at any time made in reference to all this matter.

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[1] Declaration of the Archbishops and Bishops of Ireland, assembled in General Meeting on the 14th of October, 1896

[2] The author of the other letter mentioned above.

[3] See page 38—III. TRINITY COLLEGE AND THE UNIVERSITY OF DUBLIN.

[4] *Chartæ et Statuta Collegii Sacrosanctæ et Individuæ Trinitatis Reginæ Elizabethæ juxta Dublin.* Vol. II. Dublinii, 1898.

[5] The volume referred to, though published only during the present month, bears on its title-page the date 1898. There is a preface to it, dated Trinity College, Dublin, October 1st, 1898, and signed by the late Dr. George F. Shaw, S.F.T.C.D., who edited the collection. Probably the delay in the publication of the volume was caused by Dr. Shaw's lamented death.

[6] See page 36—II. TRINITY COLLEGE AND THE UNIVERSITY OF DUBLIN.

[7] See above.

In conclusion, I take this opportunity, the only one that has come within my reach, of thanking a friendly anonymous correspondent, who, for some time past, has taken no little trouble in furnishing me with information bearing on various matters touched upon in my two papers in the *Irish Ecclesiastical Record*.

It so happened, indeed, that before I had heard from him, I was already in possession of the books which he kindly suggested would be of use to me. But I am indebted to him exclusively for some interesting information regarding Mr. R. T. Reid, the interpretation of whose meaning, as expressed in his involved and confusing will, was the subject of the judicial decision of the Master of the Rolls.

The information that has thus come to me regarding Mr. Reid, his College course, and his call to the Irish Bar, will be found prefixed to the report of the Master of the Rolls' judgment in the first Appendix to this pamphlet.

✠ W. J. W.

DUBLIN, *31st March*, 1902.

I.

TRINITY COLLEGE AND THE UNIVERSITY OF DUBLIN.[1]

In a letter recently published in some Dublin newspapers, a startling paradox has been propounded. There is, we are informed, no distinction between Trinity College and the University of Dublin: Trinity College is the University of Dublin, and the University of Dublin is Trinity College.

The statement thus made is of so extraordinary a character that it may be well for me to transcribe it in the very words in which it has been made. The author of it says:—

> I can confidently assert that *no such entity as a University of Dublin, distinct from Trinity College*, or independent of it, or outside it, or in any way apart or separate from it, *exists, or ever did exist, legally constitutionally or in fact*.[2]

Again:—

> *The College is thus the University* in *every particular*.

And again, after a quotation from the Act of Union:—

> These words are repeated three times in Article Eight, showing that constitutionally *the University* of Trinity College *and the College* of the Holy Trinity of Dublin are *one and the same thing, perfectly identical*.

As a member of the Catholic Episcopacy of Ireland, and more especially as Archbishop of Dublin, I feel called upon to protest against these statements. I do so, primarily, in discharge of the duty that I owe to the memory of an illustrious predecessor of mine in the See of Dublin, Cardinal Cullen,—a duty, let me add, that all Irish Catholics owe to the memory of that great prelate, of whom it can be said, without fear of contradiction, that to him, more than to any other Irishman, living or dead, the credit is due that there is a University question, alive, and clamouring for settlement on the line of absolute equality for Catholics, in Ireland to-day.

In personal writings of Cardinal Cullen, as well as in resolutions of the assembled Episcopacy of Ireland—resolutions not only cordially and publicly approved by his Eminence, but, we cannot doubt, largely inspired, in the framing of them, by his wisdom,—there was a proposal more than once put forward as covering everything that was needed to place within the reach of the Catholics of Ireland, on terms of perfect equality, the degrees, the endowments, and the other Collegiate and University advantages, enjoyed by our fellow-countrymen of other creeds. It was a proposal put forward only in the supposition that a Catholic University,—meaning by this, a Catholic University in the proper sense of the words,—was not to be established. The proposal was, that there should be established in Dublin a new College, in every respect equal to Trinity College, and, like Trinity College, a College of the University of Dublin.

Hence it is that I have to protest against the slur cast,—inadvertently, I am sure,—not only upon my predecessor, Cardinal Cullen, but upon our whole Episcopal body, by the statements now given to the public as indisputable statements of the law of the case. Those statements simply amount to this, that the distinction upon which the proposal that I have mentioned is essentially based,—the distinction between Trinity College and the University of Dublin,—is wholly groundless.

Undoubtedly if, as is now alleged, "no such entity as a University of Dublin, distinct from Trinity College, exists, or ever did exist, legally, constitutionally, or in fact,"—if, "in every particular the College is the University,"—if "the University," and "the College" are "one and the same thing, perfectly identical,"—then, obviously, the proposal so formally enunciated by the assembled Catholic Episcopacy of Ireland, that another College, equal to Trinity College, should be established as a College of the University of Dublin, is not only irreconcilable with law, but is mere nonsense.

In connection with a similar matter, I had occasion some short time ago to remark that a confusion of ideas as between a College and a University is not unnatural in Dublin.[3] It is not unnatural at least in the case of those of our fellow-citizens who have not had the opportunity of visiting Oxford, with its twenty-four Colleges, or Cambridge, with its nineteen or twenty Colleges,—University towns in which the distinction between College and College, and between College and University, is plain even to the little children in the streets. But that surely is no reason why those of us who have a perfectly clear idea of the distinction between Trinity College and the University of Dublin should be charged with ignorance, either of the facts or of the law of the case, by persons who themselves proclaim that they are ignorant of the existence of the distinction, and who appear to be unable even to see it when it is pointed out by others.

So far, then, for the legal theory recently sought to be set up, in its relation to the published resolutions of the Irish Catholic Episcopacy. I have now to touch upon another aspect of the case.

It is, I must say, a marvel to me that, long before this, some prominent member of the Irish Bar has not, on a ground quite different from mine, come forward to make the protest that I am making now. It is possible, no doubt, that in this country, unhappily of short-lived memory, the services rendered to his Catholic fellow-countrymen by Isaac Butt, in his advocacy of their claims in the matter of University education, are already beginning to be forgotten. But there must still be members of the Irish Bar by whom those services have not been forgotten. In the statements quoted at the beginning of this paper, the distinction which was the very foundation upon which Mr. Butt rested so much of his labour in this special field of public work,—the distinction between Trinity College and the University of Dublin,—is treated as a thing utterly at variance with every legal principle that has a bearing upon the point. It is treated, in fact, as a thing scarcely worthy of serious refutation. I am at a loss to understand how it is that so many of those who in their early days at the Bar were his contemporaries, have submitted in silence to see such a reflection cast upon the memory of that great lawyer, once looked up to by them as the brilliant leader with whom it was their pride to be associated in any case, great or small.

Anyone who chooses to do so is free, of course, to say that Cardinal Cullen knew nothing of English law. My great predecessor—eminent as, on a memorable occasion, he showed himself to be as a canonist,—would, I have no doubt, in his humility, have disclaimed all pretension to an accurate acquaintance with any branch of the law that is administered in our civil courts. But, however that may be, it amazes me to find that amongst the practising lawyers of our day even one could be found who would care to commit himself to a statement amounting equivalently to this, that in reference to the legal, constitutional, and actual relation of Trinity College to the University of Dublin, Isaac Butt is to be set down as nothing better than an ignoramus.

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[1] Reprinted from the *Irish Ecclesiastical Record*, February, 1902.

[2] I may state, once and for all, that the italics occurring in quotations throughout this and my second paper here reprinted from the *I. E. Record*, are my own.

[3] I refer in this to a letter of mine published in the *Freeman's Journal* of the 6th of January in the present year.

The issue raised by the statements quoted at the beginning of this paper is the very simple one: Is the University of Dublin identical with Trinity College, or is it not?

In dealing with the issue thus raised, I may begin by expressing my satisfaction that it is not necessary for me again to set forth the long series of quotations from Acts of Parliament, from Royal Letters Patent, and from other authoritative documents, which I recently had occasion to cite[1] in connection with a point—in itself of comparative insignificance—as to the name by which the University of Dublin may be designated. I am happily not further concerned with the statement that it is "inaccurate" to speak of that University as the "University of Dublin." I have shown that this very name is given to that University in no fewer than eleven Acts of Parliament—twice in five of them, three times in another, six times in another,—and, again, in nine Royal Letters Patent—twice in one of these, three times in another, and five times in a third. I may safely regard the statement about the "inaccuracy" of the designation as amply disposed of.

But *prius est esse quam denominari*. The statement by which anyone who feels himself called upon to vindicate the resolutions of the Irish Episcopacy from the stigma of inaccuracy,—and not merely of inaccuracy, but of nonsense,—now finds himself challenged, is the unqualified denial that, as distinct from Trinity College, such a thing as a University of Dublin, no matter by what name it may be designated, exists at all!

From the way in which this grave matter has been dealt with, bandied about as it has been for the last few weeks, in letters, in speeches, and newspaper articles, a person uninformed as to the facts never could have supposed that the case stands as it really does.

Who, for instance, not otherwise informed as to the facts, could have supposed that the very point now so flippantly discoursed about had been, in the past, the subject of most careful consideration, in all its legal bearings, by eminent lawyers of the highest judicial rank? Who could have supposed that one Vice-Chancellor of the University of Dublin, Lord Chancellor Blackburne, had communicated to the Senate of the University, so far back as the year 1858, a "formal and deliberate opinion," upon it? Or that another lawyer, of the very highest reputation, an ex-Chancellor of Ireland, Sir Joseph Napier, finding, when he was Vice-Chancellor of the University, a view somewhat at variance with the considered opinion of his predecessor, Lord Chancellor Blackburne, propounded by a non-legal Fellow of Trinity College,[2] in a published work,[3] had applied himself to a further and most minute examination of the case in all its bearings? Or that a long and detailed statement of the conclusions at which Sir Joseph Napier then arrived,—fully confirmatory as they were of the view put before the University Senate by his predecessor in 1858,—was communicated by him, as he himself expresses it, "*to the Governing Body of the College*, and to the *Senate of the University*," in 1871? Or that this erudite exposition of the whole question, first published in a pamphlet in 1871, has since been republished as an introduction to a well-known volume,[4] brought out in Dublin by the publishers to the University so recently as 1896? Or that, —to bring to a close this long series of references,—the conclusion arrived at and established, without qualification of any kind, by those two eminent lawyers is, that Trinity College and the University of Dublin are not only two distinct bodies, but are two distinct corporations, in the strictly legal sense of the word?

At this point, it will be convenient to go back a little, to trace matters up from an earlier time.[5]

In the Dublin University Calendar for 1833,—which, I think, will be found to have been the first issue of the Calendar,—there was published an interesting historical account of the foundation of the College and University. In that account, reference was made by the learned editor of the Calendar, the late Dr. Todd, in terms of unqualified approval, to a pamphlet published in 1804, by the Rev. George Miller, D.D., then a Fellow of Trinity College.[6] Dr. Todd refers to this pamphlet for "a complete and satisfactory discussion of the question about the distinction between the College and the University."[7]

Dr. Miller, as is obvious from the title of his pamphlet, was a forerunner of those theorists of the present day who maintain that the distinction between the University of Dublin and Trinity College is only a "supposed" one. Dr. Todd, in 1833, was clearly in agreement with Dr. Miller on the point. He says that Dr. Miller "has clearly shown that the opinion about the necessity of a distinction between the University and the College originated in the prejudices of our early Provosts, who were all educated at Cambridge."[8]

But Dr. Todd afterwards came to see that the denial of the distinction between the College and the University was quite untenable. In his learned and singularly interesting Introduction to the volume[9] already mentioned, published by him many years afterwards, he again referred to Dr. Miller's pamphlet, no longer, however, in terms of approval, but for the purpose of confuting more than one of the positions on which Dr. Miller had relied in endeavouring to prove that the University was not distinct from the College.[10]

Working out a train of reasoning, in the strangeness of its logic almost worthy of some of Alice's acquaintances in Wonderland, Dr. Miller took for his starting-point the often-quoted expression, *Mater Universitatis*, which, in Queen Elizabeth's Charter of Foundation, is applied to Trinity College. He set about explaining that expression in several ways, and then proceeded to argue that, in whatever way it was to be understood, it required that the College, "in its actual circumstances,"—that is, so long as it continued to be the only College on the foundation,—"should be considered as *the same with the University*."[11] But, to quote the common-sense criticism of Dr. Todd:—

> Is it not a most strange mode of expressing this [that the College is the same with the University] to say that the College is the mother of the University? . . . Is a mother identical with her children? . . . It is true Trinity College is the only College in the University, but this does not make it the same with the University; nor does it explain, in either of the interpretations proposed by Dr. Miller, in what intelligible sense she is the "Mother of the University."[12]

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[1] In my letter referred to in footnote 3 on page 30.

[2] The late Rev. J. H. Todd, D.D., S.F.T.C.D.

[3] *A Catalogue of Graduates who have proceeded to Degrees in the University of Dublin, from the earliest recorded Commencements to July*, 1866. With Supplement to December 16, 1868. Dublin: Hodges, Smith, and Foster, 1869.

[4] *A Catalogue of Graduates of the University of Dublin*, vol. ii. (Second Edition). Dublin: Hodges, Figgis, & Co., 1896.

[5] To avoid a confusing multiplicity of quotation marks and footnote references, I may here state that in the remainder of this paper I adhere as closely as possible to the words of Sir Joseph Napier's learned exposition of the subject, when dealing with any of the matters with which he has dealt. I shall not formally quote from that exposition except in those cases in which I may consider it advisable to adduce the authority of Sir Joseph Napier in support of some particular statement.

[6] *An Examination of the Charters and Statutes of Trinity College, Dublin, in regard to the supposed distinction between the College and the University*. By the Rev. George Miller, D.D., F.T.C.D.

[7] See the Calendar for 1883, p. 56.

[8] *Dublin University Calendar*, 1833, Introduction, page 56, footnote (*e*).

[9] *Catalogue of Graduates* (*Dublin*, 1869).

[10] A graceful and touching reference to Dr. Todd, made by Cardinal Cullen in an address delivered by His Eminence at the Catholic University, on the 2nd of July, 1869, the day of Dr Todd's funeral, may appropriately be transcribed here. It will be observed that the occasion of the Cardinal's reference to Dr. Todd was his quoting from the volume mentioned in the text above. The passage is as follows:—"I might refer to many Catholic writers for the proof of the facts I have now narrated, but I wish rather to refer you to the Preface of the 'List of Graduates of Trinity College,' by Dr. Todd, the last work which proceeded from the pen of that distinguished scholar, whose lamented demise has cast a gloom over all who prize the remnants of Celtic literature, and whose remains were this morning, to the grief of all of our citizens, borne to their long resting place." (*Writings of Cardinal Cullen*, Dublin, 1882, vol. 3, p. 234.)

[11] Dr. Miller's pamphlet, pages 8, 9.

[12] *Catalogue of Graduates* (1869), Introduction, page xvi., footnote.

Dr. Todd's own explanation of the phrase is that—

> The College was to be the parent of the University, to bring up and nourish in all sound learning, as a mother gives nourishment to her children, those who were afterwards to become graduates and members of the University.[1]

But the precise sense in which the expression *Mater Universitatis* is to be understood is a matter of but secondary importance. Sir Joseph Napier adopts an explanation[2] somewhat similar to Dr. Todd's, adding as a further point, that—

> The prescribing of the preliminaries and conditions of graduation, the appointment of University officers (except the first Chancellor), and the making of regulations for conferring Degrees, were confided to the governing body of the College.[3]

He disposes, as summarily as Dr. Todd did, of the odd theory set up by Dr. Miller, that the expression *Mater Universitatis* requires us to consider "the College as *the same* with the University." As Sir Joseph Napier puts it—

> It would be strange, if not absurd, to have designated the College as "*Mater Universitatis*" if the University was not to be regarded as *distinct from the College.*[4]

For a reason not at all difficult to understand, there seems to have always been in Trinity College itself an unwillingness to give but scant recognition to the distinction between the College and the University, and, indeed, as far as possible, to ignore that distinction altogether. From the fact that Trinity College has for centuries been the only College of the University, the distinction has never, of course, come into very practical effect. But that is no reason for denying the existence of the distinction. As Dr. Mahaffy, whose words I have not many opportunities of quoting with so near an approach to full concurrence, says, in reference to it:—

> In the first place, we may name the distinction between University and College, one often attempted by theorists, and which may any day become of serious importance if a new College were founded under the University, but one which has practically had no influence in the history of Trinity College.
>
> We even find such hybrid titles as Fellow of the University[5] . . . used by people who ought to have known the impropriety.[6]

An attempt has recently been made to attach very exceptional importance to a statement in the Report of a Royal Commission of 1851, which was "appointed," we are informed, "to inquire into the state of Dublin University." It may not be altogether unimportant to note, for the sake of greater accuracy, that the subject of the inquiry for which the Commission really was appointed, was, in the words of the Queen's letter appointing it, to inquire "into the State, Discipline, Studies, and Revenues of Our University of Dublin, *and the College of the Holy and Undivided Trinity therein*, and of all and singular the Colleges and Schools in Our said University."[7]

In the Report of that Commission, Trinity College is described as "a College with complete University powers of granting Degrees in all arts and faculties, and of electing University officers." The Report adds that "those powers were conferred by Charter on Trinity College, without any provision being made to give other Colleges, when founded, a share in the government of the University," and that "the constitution of Dublin University, as being a College with University powers, has never been changed since its foundation."

Now to quote such things in the way these have been quoted, borders upon trifling with the public. It would be interesting to know by what conceivable process, or on what conceivable ground, the constitution of Dublin University could have been changed, in the sense of giving "other Colleges a share in the government of the University," so long as Trinity College continues to be the only College of the University.

But, to go a little deeper into the matter, it is well to look to the evidence on which those statements, quoted from the Report of the Commission, rest, keeping in view at the same time the somewhat peculiar way in which the Commission conducted its inquiry.

I take this latter point first. From the beginning to the end of its proceedings, the Commission of 1851 never orally examined a single witness. An important section of the inquiry was conducted simply by sending a number of printed questions to certain persons, or classes of persons, connected with the College, or with the University. These questions were to be replied to in writing. There was no sifting of the evidence, such as is usual in the examination of witnesses on whose evidence the Report of a Commission is to be based. No step was taken to elicit any further information in reference to any matter, stated, no matter how jejunely, in the carefully-worded written replies to the questions of the query sheet. Naturally, then, there was little chance of any information reaching the Commission that might be in any way out of harmony with what then was,—and has since, to a large extent, continued to be,—the Trinity College view of the relation between that College and the University of Dublin.

The queries as to the relation between the College and the University seem to have been sent only to the Provost and Senior Fellows. In justice to those College dignitaries it should be added that there is not in any part of their reply, which is a joint one, the faintest suggestion that, in describing the authority vested in them in relation to the affairs of the University, they meant to do more than state the facts of the case as it then actually stood. There is, I mean, nothing whatever in their reply to suggest that, in their view, the enlargement of the University,—if it were enlarged by the establishment in it of other Colleges,—would not involve such a modification of the constitution of the University as would place those other Colleges, so established, on a footing of equality with Trinity College in reference to all University matters. Naturally, they had not this point in contemplation at all.

In connection with all this, I may here refer to an interesting pamphlet, published fifteen years after the date of the Report of the Commission.

The pamphlet, as is stated in its Preface, was published from Trinity College, in May, 1868. It was, I am informed, very generally believed in Dublin at the time that the author of it was Dr. Lloyd, then Provost of the College. In connection with a plan of University reform outlined in the pamphlet, based upon the establishment of a new College in the University, the following passage occurs. I quote it, not at all in view of the imputed authorship of the pamphlet, but solely on account of its usefully supplementing the very meagre statement on the subject of the relations between the College and the University, officially forwarded to the Commission of 1851 by the Provost and Senior Fellows of that day. The passage is as follows:—

> The University of Dublin is a University with a single College. . . . The non-existence of a plurality of Colleges has made it unnecessary to draw a definite line to distinguish its two offices; and the fusion of the two has been rendered more complete by the act of the founder, which vested the supreme power in the Provost and Senior Fellows of the College.
>
> *This doubtless was meant to be but provisional,* and to last *only until other Colleges were affiliated.* Still, however, Trinity College has remained the sole College in the University of Dublin to this day.

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[1] *Catalogue of Graduates.*, 1869, Introduction, pages xv., xvi.

[2] Sir Joseph Napier's interesting explanation of the expression will be found set out in full in the Second Appendix to this pamphlet (pages 51–52).

[3] *Catalogue of Graduates* (1896), Introduction, pages vi., vii.

[4] *Ibid.*, Introduction, page x.

[5] The reference is to a window erected in the College Chapel, set up as a memorial of Bishop Berkeley, which calls him "a Fellow of this University."

The following sentence in the footnote in which this reference is explained, is worth quoting:—"I need not point out how this blunder has been exalted into an official title by the Examining Body called the Royal University of Ireland, which has no Professors for its University, and no College for its Fellows." (*The Book of Trinity College*, page 17, footnote 2).

[6] *The Book of Trinity College, Dublin* (Belfast, 1892), p. 17.

[7] The only practical outcome of the insertion of the last clause of the reference to the Commission was a statement in one of the replies received from Trinity College, to the effect that a "Hall, called Trinity Hall," established in 1617, was converted in 1660 into a Hall for medical students, and ultimately became the College of Physicians. "But," it is added, "the present King and Queen's College of Physicians has since obtained a distinct Charter, and though connected with the University by the School of Physic Act (40 Geo. III. cap. 84), can no longer be considered a College in the University."

Here then is suggested an obvious mode of carrying out the measure referred to. Little more is needed than to draw a well-defined line between the University and the College. . . .

The Provost and Senior Fellows of Trinity College . . . possess by Charter the right of the initiative in all "Graces" brought before the Senate. *The privilege* thus given to Trinity College *should of course be resigned* so that all affiliated Colleges might *stand on an equal footing.*

This extract is especially useful in showing up the misleading character of an attempt that has been made in more than one quarter to set the public astray as to the nature of the proposal so definitely put forward by the Irish Bishops,—for the first time, I think, in 1869, the year after the appearance of the noteworthy pamphlet to which I have just referred. It is nothing but an outrage upon the Bishops of that time to suggest that they contemplated, or would have in any way countenanced, the placing of a Catholic College of the University of Dublin in a position in that University inferior in any respect to the position, which,—as a logical consequence of the circumstances of the case,—has been held in the University, down to the present day, by Trinity College alone.

Another document should be here referred to—a document to which, on some ground, to me, I must confess, unintelligible, it has been sought to attach extraordinary importance.

It is a petition from some thousands of graduates, presented to Parliament in 1868, for the maintenance unimpaired of "the Protestant Constitution of the University of Dublin." This document is quoted as—

> The unanimous declaration of *the College and University* which are *one inseparable institution*, affirming its own constitutional and legal title, and then giving the words "of Dublin" as local designation at the end of the document.

As to the question of the "constitutional and legal title of the University," I must be excused for saying that I fail to see how the mere signatures of 6,000 or of 60,000 graduates of the University of Dublin could be supposed to establish the "inaccuracy" of a title which, as I have already shown—if I may repeat what I have said upon this point in an earlier part of this paper—is given to the University of Dublin in eleven Acts of Parliament, twice in five of them, three times in another, six times in another, and, again, in ten Royal Letters Patent, occurring twice in one of these, three times in another, and five times in a third.

In a volume published five years ago[1] I myself called attention to the fact that the title "University of Trinity College" is given to the University of Dublin in one solitary Act of Parliament, the Act of Union,—a fact to which that eminent lawyer, who in his time was Lord Chancellor of Ireland, and was for many years member of Parliament for the University, the late Dr. Ball, directs attention in his volume on Irish Legislative Systems, dismissing it with the significant remark that it is "singular" that the University should have been "called 'the University of Trinity College,' and not 'the University of Dublin.'"[2]

In face of the paradoxical denial, with which we are now confronted, of even the existence of the University of Dublin as distinct, in any particular, from Trinity College, the question of the name by which that University may be designated is a question plainly of very little moment. Besides, it is a question that I have dealt with quite sufficiently elsewhere.[3] But as I have at all touched upon it here, I may mention that Sir Joseph Napier, dealing with the whole question in its broader aspect, incidentally refers as follows to one of the numerous Royal Letters Patent in which the University is designated the University of Dublin:—

> In the Letters Patent of 1 George III., where the University of Oxford is described as *celeberrima Academia Oxoniensis*, the University of Dublin is described as *Academia illustrissima Dubliniensis.*[4]

He calls attention also to a number of the Acts of Parliament, and of the other Letters Patent, in which this title is repeatedly used.[5] Noticing the fact that in the Act of Union, the University is called the "University of Trinity College," he describes this,—I would presume to say, very felicitously,—as the "maternal" name of the University. It is almost superfluous to add that nowhere throughout his elaborate dissertation, which extends over twenty-eight pages, is there to be found even the faintest suggestion that the title "University of Dublin," is "inaccurate," or that the title of "University of Trinity College," so "singularly"[6] used in the Act of Union, has any claim to be regarded as "the legal and constitutional title" of the University.

As a final comment upon the use so strangely made of the graduates' petition, I direct attention to the words in which I find that petition described as "the declaration of the College and University, which are *one inseparable institution.*" For this statement, if it is to be taken as affirming, or suggesting, that the graduates' petition describes the College and the University as "one institution,"—whether separable or inseparable,—I have only to say that it has not in the document a particle of foundation to sustain it.

The text of the document has been quoted. It speaks for itself. But even if the document itself could not be referred to, the fact that Sir Joseph Napier's name is signed to it is sufficient evidence that no such legal solecism as the assertion that Trinity College, and the University are "one inseparable institution" is to be found in it. The suggestion that this document, the first signature to which is that of Sir Joseph Napier, Vice-Chancellor of the University, sustains the denial of the distinction between the College and the University,—or sustains the assertion that it is "inaccurate" to speak of the University as the "University of Dublin," and that its "legal" "constitutional" title is the "University of Trinity College,"—could assuredly have been put forward only in the absence of all knowledge of the existence of the learned and exhaustive legal paper in which Sir Joseph Napier has so lucidly stated his views upon both the points now so curiously called in question.

I may now give, in outline, Sir Joseph Napier's interesting statement,—deduced from the Charters and all other documents bearing upon the matter,—of the distinction that exists, "legally," "constitutionally," and "in fact," between Trinity College and the University of Dublin.[7]

Trinity College, as is well known, was established by Queen Elizabeth, in 1592. The College was established as the "mother of a University," which it was to supply with "studiosi," who were to be admitted to take degrees; and for the conferring of those degrees the authorities of the College were empowered to make all necessary regulations.[8]

Although, under the Charter of Elizabeth, the actual creation of the University was only effected through the instrumentality of the College, it does not follow, says Sir Joseph Napier, that the University is not to be considered as having been founded by Elizabeth:—

> What was done in pursuance of the Charter was done by the Queen's authority, and is deemed in law to have been done by herself. . . .
>
> The distinction between the founding of the College and the founding of the University should be clearly understood. There were available means of completing the foundation of the College at once and directly; but the case was different as to the University, for although by legal intendment it was founded by the Charter, it had afterwards to be brought forth by the College as its "mater."[9]

He then points out—and the observation apparently is a very relevant one,—that unless the matter is duly considered in its integrity, the Charter of Queen Elizabeth

> Is likely to be (and it often has been) *misunderstood* to have merely founded *a College with University privileges.*[10]

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[1] *The Irish University Question* (Dublin, 1897), page 27.
[2] *Irish Legislative Systems.* By the Right Hon. J. T. Ball, LL.D., D.C.L. (London, Dublin, 1880), page 179.
[3] In the letter already referred to, page 30, footnote 3.
[4] *Catalogue of Graduates* (1896), Introduction, page xvi., footnote.
[5] *Catalogue of Graduates* (1896), Introduction, pages xv., xvi.
[6] See Dr. Ball's *Irish Legislative Systems*, page 179.
[7] See the second Appendix to this pamphlet (pages 51-52).
[8] *Catalogue of Graduates* (1896), pages iv-vii.
[9] *Ibid*, page vii.
[10] *Ibid.*

And he adds:—

When the whole matter is duly considered, it will be seen that the University designed by this Charter, and constituted under it, was intended to be, and was, *a distinct incorporation.*[1]

Under the powers granted by the Charter, a code of regulations for the conferring of degrees was drawn up, a Senate was formed, and seven years after the foundation of the College, the first "Commencements,"[2] or conferring of degrees, took place. As Sir Joseph Napier puts it:—

The "Universitas" designed by the Charter of Elizabeth had been constituted by the Provost and Fellows of the College under its provisions. . . . A period of gestation (if I might say so) had been required before the University could thus have been brought to the birth.

As the design was that it should come from the womb of the College, privileges had been conferred upon the *studiosi*, and powers were given to the Provost and Fellows of the College, by which provision was made for the constitution and continuance of a proper staff of University officers, and of a body of accredited teachers. *It may therefore be said that the College was adorned or invested with the privileges of a University.*

But after the holding of Commencements [the conferring of Degrees], which first took place A.D. 1600, *juxta tempus idoneum*,[3] *i.e.*, seven years after the foundation of the College, the University was brought to the birth, and thenceforth it was[4] distinct from although dependent on, its "mater"—the College.

"Distinct from the College." How sadly ignorant of law Sir Joseph Napier—to say nothing of poor Isaac Butt—must have been!

We now come to the Charter of Charles I. It is dated A.D. 1637. By that time the University was in full working order. There is an ancient collection of University regulations, entitled "Consuetudines seu Regulae Universitatis Dubliniensis pro solenniore collatione graduum," the precise date of which is uncertain, but which, there is reason to believe, was drawn up[5] before the date of the Charter of Charles I.

Sir Joseph Napier calls attention to an interesting indication of the fact that the University, which at the time of the Elizabethan Charter existed only "in intendment and consideration of law," as a future outcome of the College, was in existence and in working order when the Charter of Charles I. was issued. In the Charter of Elizabeth, the Chancellor,—in the first instance appointed by the Queen, afterwards to be elected by the Provost and Senior Fellows,—is called Chancellor of the College. The words of the Charter are—"Ut posthac idoneam hujusmodi personam . . . pro *hujus Collegii* Cancellario eligant." But now, in the later Charter of Charles I., the Chancellor is designated Chancellor of the University—"Cancellario *Academiae sive Universitatis praedictae.*"[6]

In the ancient collection of Rules for the conferring of Degrees, already referred to, the Senate—*Senatus Academicus*—is mentioned, and its functions are defined. The Senate, as may be seen by reference to any recent issue of the University Calendar,[7] is the public Congregation of the University. It consists of the Chancellor of the University, the Doctors in the several Faculties, and the Masters of Arts.

It is well perhaps here to explain that the name Senate, in the case of the University of Dublin, is used in a sense wholly different from that in which it is applied to the Governing Body of the institution known as the Royal University of Ireland. The Senate of the University of Dublin is not a Governing Body at all. It has nothing to do with the drawing up of programmes, the appointment of Fellows or Professors of the College, or anything of the kind. It in no way interferes with the academic freedom of Trinity College. Consisting, as it does, of those who may be presumed to have at heart the honour of the University of which they are Doctors or Masters, it confers the Degrees of the University upon those who are presented to it by the College, with the testimony of the College that they are worthy of the academic rank proposed to be conferred upon them.

A Degree of the University of Dublin can be conferred only by the Senate of the University, that is, by the voice of the majority of the Senate:—

In concessione gratiae in domo congregationis, pars major semper habeat ratione totius, ac proinde quicquid majori parti placeat, ominio ratum esto.[8]

But, whilst the Senate of the University may refuse a Degree, it cannot, on its own motion, confer one. The intended graduate must in all cases be presented by the College, represented by its Provost and a majority of its Senior Fellows:—

Nemini publica Senatus academici gratia concedatur, nisi privatâ gratiâ Praepositi et majoris partis Sociorum Seniorum antea commendato.[9]

Though not needed for the pointing out of the distinction between the University and the College, it may, for the sake of completeness of statement, be added here, that there is in the Senate a further authority of a very important kind in reference to the conferring of Degrees.

The headship of the University Senate is vested in three of its specially representative members: the Vice-Chancellor,[10] representing the University; the Provost of Trinity College, representing the College; and the Senior Master non-Regent,[11] duly elected,[12] representing the body of graduates of the University. These three members of the Senate constitute the *Caput Senatus Academici*; and the concurrence, not only of the *Caput* as a whole, but of each of its three individual members, is necessary before a Degree can be conferred—

Si quae petitio ad gradum offeratur, esto in potestate tum Vice-Cancellarii, tum Praepositi, tum Magistri senioris non Regentis qui in Collegio degat, impedire quominus reliquo Senatui proponatur.[13]

Quite independently of the authority of the eminent lawyers who have specially applied themselves to the study of the matter, the mere statement of the arrangements thus made for the conferring of the Degrees of the University is, in itself, sufficient to show very plainly the distinction between the College and the University.

As to legal authority, we have the clear statement of Sir Joseph Napier:—

The intention is manifest that the University should be *distinct*, but not an independent body.[14]

Sir Joseph Napier then goes on to deal with the further question, whether the University is a body, not only distinct from the College, but so broadly distinguishable from it that the College and the University are two distinct corporations in the legal sense of the word.

As to this there seemed, at least at one time, to have been some difference of opinion. Early in the year 1858, a very eminent lawyer, Mr. Francis A. Fitzgerald—afterwards, as Baron of the Exchequer, a universally respected Judge,—gave it as his opinion that the University was not a corporation.[15]

After this, in the December of the same year, Lord Chancellor Blackburne, then Vice-Chancellor of the

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[1] *Catalogue of Graduates* (1896), page vii.

[2] As to this technical University term, see the third footnote on page 52.

[3] Words used in the Charter of Queen Elizabeth (see *Catalogue of Graduates*, 1896, Introduction, page v.).

[4] *Ibid.*, pages viii., ix.

[5] See the Introduction to the *Dublin University Calendar* for 1869. See also an interesting note in reference to these "Customs or Rules," in Dr. Todd's Introduction (page xxxiii. footnote) to the *Catalogue of Graduates*, published in 1869.

[6] *Catalogue of Graduates* (1896), Introduction, pages vii.-ix.

[7] See the *University Calendar* for 1901. Vol. 2, page 9.

[8] *Consuetudines seu Regulæ*, Cap. IV.

[9] *Consuetudines seu Regulæ*, Cap. IV.

[10] The Vice-Chancellor is mentioned, as it is he who usually attends. Of course, he attends as the substitute of the Chancellor of the University.

[11] Each Master of Arts is styled "Regent" for three years after taking his degree; after the third year, he becomes "non-Regent."

[12] See the *University Calendar for* 1901, Vol. ii., page 10, n. 5.

[13] *Consuetudines seu Regulæ*, Cap. II.

[14] *Catalogue of Graduates* (1896). Introduction, page xi.

[15] See a portion of this Opinion in Dr. Todd's Introduction to the *Catalogue of Graduates* (1869), pages xxiii. xxv., footnote.

University, communicated to the Senate of the University "a formal and deliberate opinion,"[1] in which amongst other things bearing upon the point, he said:—

> In addition to these and other considerations of a similar kind, it was to be kept in mind that the Legislature and the Crown, from the earliest period down to the time of the last Charter (21 Vict.), had recognised and treated the University as a body corporate; but what was directly to the purpose was that the Charter of the Queen [the Charter of 21 Vict., A.D. 1857] recognises and perpetuates all the functions and duties of the University, and its means of exercising them in their full integrity.[2]

I may incidentally remark that one of the provisions of the Charter of 1857, here referred to, is as follows:—

> The Senate of the University shall be, and continue to be, a body corporate, and have a common seal, and shall have power under the said seal to do all such acts . . . (in conformity . . . with the Charter and Statutes of Trinity College, AND with the Statutes, Laws, and By-laws OF THE UNIVERSITY), under the name, style, and title of the Chancellor, Doctors, and Masters of the UNIVERSITY OF DUBLIN.[3]

Sir Joseph Napier, after quoting the words of ex-Chancellor Blackburne, his predecessor in the Vice-Chancellorship of the University, points out that the opinion previously given by so eminent a lawyer as Baron Fitzgerald was before the ex-Lord Chancellor, when he arrived at the opposite conclusion, and publicly communicated his opinion to the Senate. Until he had himself become Vice-Chancellor of the University, Sir Joseph Napier,—on the authority, as he says, of so eminent a Judge,—had accepted as final the opinion of his predecessor, given, as it was, in the circumstances mentioned. But, finding it stated more than once by Dr. Todd, in his learned Introduction to the *Catalogue of Graduates*, published in 1869, that the University was not a corporate body, he thought it his duty, as Vice-Chancellor of the University, to apply himself to a special study of the question.[4]

Those who wish to follow this matter out in detail will find a full and clear exposition of it in Sir Joseph Napier's elaborate legal dissertation on the case, in which he states the conclusions at which he arrived, both upon this particular point and upon some others as to which Dr. Todd "had impugned the received opinion as to the import of certain parts of the Charter of Queen Elizabeth."[5] It is sufficient here to state that the first and second of the conclusions thus arrived at are:—

> 1. That the College has certain University privileges[6] which have been conferred on its *studiosi* and on its governing body.
>
> 2. That the University (properly so called) is *a distinct corporate body.*[7]

I, of course, am not in any way concerned with the question as to the two distinct corporations. That is a lawyers' question, pure and simple. And as to the distinction that unquestionably exists between Trinity College and the University of Dublin, I am concerned with it simply upon the ground indicated at the beginning of this paper.[8]

The declaration of the Catholic Episcopacy of Ireland, to which I there referred, is as follows:—

> Since the Protestants of this country have had a Protestant University with rich endowments for three hundred years, and have it still,[9] the Catholic people of Ireland clearly have a right to a Catholic University.
>
> But should Her Majesty's Government be unwilling to increase the number of Universities in this country, *religious equality cannot be realised* unless *the degrees, endowments, and other privileges*, enjoyed by our fellow-subjects of a different religion, *be placed within the reach of Catholics on terms of perfect equality.*[10]

Attempts have, from time to time, been made to bring the Bishops of Ireland into odium with our Catholic people by falsely representing that this emphatic assertion of the rightful claim of the Catholics of Ireland to a settlement of the University question on the basis of perfect equality, was in some way undermined by the further declaration of the Bishops that a satisfactory settlement of that question could be effected by the establishment either of a National University of Ireland, or of a second College of the University of Dublin. And grotesque descriptions have been given of the state of degrading subjection in which the Catholics of Ireland would be placed if their one place of higher education in Ireland were to be a College of that University, the constitution of which, as is notorious, at present works out in the complete dependence of the University upon Trinity College.

In the course of this paper quite enough has been said to show that, on this particular line of settlement of the University question, an essential condition of any arrangement that could be contemplated as admissible would be that,—in words which I have already quoted,—the position of privilege hitherto held by Trinity College in the University of Dublin "should be resigned," so that each College of the University should "stand on an equal footing."[11]

And this precisely is what the Irish Bishops have said in their declaration, the first part of which I have already transcribed. In that declaration they set forth, as an essential condition of the establishment of "religious equality," that in connection with whatever University system a College to be established for Catholics might be placed, that College should "fully participate" in "the privileges enjoyed by other Colleges of whatsoever denomination or character."

I shall be told, no doubt, that no equitable settlement could be worked out through the establishment of a second College in the University of Dublin, without a very substantial modification of the constitution of that University. This surely is no new discovery. It was all clearly before the minds of the Bishops when framing their historic declaration on the subject. That is plain from the terms of the declaration itself. After laying down the essential conditions of equality,—by which, it should be noted, they meant, to use their own words, "religious equality,"—they go on to say:—

> All this can, we believe, be attained by MODIFYING THE CONSTITUTION OF THE UNIVERSITY OF DUBLIN, so as to admit the establishment of a second College within it,[12] IN EVERY RESPECT EQUAL TO TRINITY COLLEGE, and conducted on purely Catholic principles, in

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[1] See the *Catalogue of Graduates* (1896), Introduction, page xi.
[2] *Catalogue of Graduates* (1896), Introduction, page xi.
[3] See the *University Calendar* for 1901, Vol. ii., Introduction, page 11.
[4] *Catalogue of Graduates* (1896), Introduction, page xi.
[5] *Ibid.*, pages xi., xii.
[6] See *ante*, pages 33, 34.
[7] *Catalogue of Graduates* (1896), page xxiii.
[8] See *ante*, page 30.
[9] This was first published in 1869, and was republished in 1871, before the passing of the "University of Dublin Tests Act," of 1873. It is unnecessary here to point out in detail to how trifling an extent the passing of that Act has affected the existing state of things either in Trinity College or in the University of Dublin
[10] See *The Writings of Cardinal Cullen*, vol. 3, page 404.
[11] See *ante*, page 33.
[12] One of the worst of the numerous misrepresentations which, if allowed to pass without exposure, could not fail to place the action of the Bishops in a very false light before the Catholics of Ireland, has reference to the site of the new College, on the supposition of an additional College being established within the University of Dublin. The suggestion has been represented as if it involved the building of a College in some corner of the Park of Trinity College. Mr. Butt, who devoted so much time and thought to the working out of a plan of settlement on the basis of a new College in the University of Dublin, has even been quoted as the authority for this view of the locality of the College.

I prefer to take my view of Mr. Butt's proposal, and of what it involved, from Mr. Butt himself. Speaking in the House of Commons, when introducing his University Bill on the 16th of May, 1876, he said, in reference to this branch of the subject:—

"It will be, of course, *for the authorities of the College* to determine the most convenient site, either in their present situation [St. Stephen's-green] or *in any other*, within a certain distance of the centre of the City of Dublin, which I propose to fix at *three miles*. I would prefer they should be placed in the immediate vicinity of Trinity College, and the Bill gives power to the governing body of Trinity to sell or lease for this purpose a portion of their ground, *if the authorities of the new College should be desirous* of that site. But this is *a matter entirely for the College itself.*"

I have transcribed this extract from a pamphlet containing a verbatim report of the speech, brought out by Mr. Butt himself.

which your Bishops shall have full control *in all things regarding faith and morals*, securing thereby the spiritual interests of your children, and placing, at the same time, Catholics ON A FOOTING OF PERFECT EQUALITY with Protestants, as to DEGREES, EMOLUMENTS, AND ALL OTHER ADVANTAGES.[1]

It is under these conditions, and under these conditions only, that the Bishops have ever stated that the essential requirements of an equitable settlement of the Irish University question could be effected through the establishment of a second College in the University of Dublin.

I may be asked, whether I think it possible that Trinity College, its governing body, and its numerous array of sympathisers and supporters throughout the country, would ever consent to an arrangement involving the resignation of its privileged position in the University of Dublin? I can only reply that with that question I have nothing to do.

It must be remembered that the Irish Bishops have never themselves claimed to have the University question settled on this line. Our position in the matter is clear and unmistakable. If the statesmen who have the responsibility and the duty of constructing a satisfactory system of University education for Ireland, see any insuperable difficulty in the way of the establishment of a new University, we have to remind them that the establishment of a Catholic University is the policy, and the only policy, which we, Bishops, have at any time positively advocated. Then, if, on any ground, those statesmen wish, in preference, to construct a plan of settlement based on the establishment of a new College in the University of Dublin, we have said to them without reserve that, in our opinion, the thing can be done. But we have added, as, in the discharge of our duty to the Catholic body in Ireland, it was our duty to add, that there are certain conditions without which, equality, meaning by this, religious equality,—surely an indispensable condition of any equitable settlement in this matter—cannot be secured.

For some reason or other—presumably on some abstruse rule of legal interpretation—the aspect of the University question dealt with in the preceding paragraphs seems to be regarded as lying outside the limits of the inquiry with the carrying out of which the Royal Commission now sitting has been charged. It has, however, come rather prominently before the public within the last few months, and I can only repeat what I have frequently said in reference to it in years past. If the feeling prevalent in Trinity College is to be allowed to stand in the way of the Catholics of Ireland being dealt with on lines of equality within the University of Dublin, then surely the Catholic claim to be dealt with on lines of equality in the only other conceivable way in which equality can be reached,—through the establishment of a new University for Catholics,—becomes simply irresistible.

On whatever line it may be found most feasible to do justice to the long suffering Catholic people of Ireland, one thing, it is to be hoped, will, on all hands, be conceded as indisputable. We have to be extricated, without further unnecessary delay, from the humiliating position in which we have so long been forced to stand. Our Protestant fellow-countrymen are in the enjoyment of every educational advantage that the State provides for its most favoured subjects. For us, there is nothing better placed within our reach than the miserable system of examinations, and of College and school work carried on solely with the view of preparing for those examinations,—the system, educationally ruinous instead of advantageous, that is administered by the examining body officially designated the Royal University.

To bring this unduly long paper to a close, I transcribe the following interesting passage from the work of an old French writer. I find it quoted in a footnote to Dr. Todd's Introduction to the Catalogue of Graduates of the University of Dublin, the volume so frequently referred to in the preceding pages:—

> "Depuis plus de huit cens ans," says the learned Pithes, avocat au Parlement, "qu'il y a des écoles publiques et générales dans le royaume, il n'étoit encore venu dans l'esprit de personne de croire qu'une Université pût être divisée de telle sorte qu'elle fût en partie dans une ville, et en partie dans une autre. Au contraire, et les illustres fondateurs, à qui les Universités doivent leur naissance, et les augustes protecteurs, à qui elles doivent leur conservation, princes, rois, prélats, souverains pontifes, tous ont été persuadés qu'il étoit essentiel à ces Universités, que chaqu'une d'elles fût toute entière dans un seul et unique endroit."[2]

But, apart from the authority of any writer, the present outburst of feeling in educational circles in England, antagonistic to the continued maintenance of the Victoria "University," with its scattered Colleges in Manchester, Leeds, and Liverpool, must of itself suffice to render impossible the further subjection of the Catholics of Ireland to the discredited system embodied in the Royal "University" of Ireland.

✠ W. J. W.

II.

TRINITY COLLEGE AND THE UNIVERSITY OF DUBLIN.[3]

ARCHBISHOP'S HOUSE, DUBLIN,
8th February, 1902.

DEAR SIR,

For some time past, efforts have persistently been made to lead the public into the belief that there is no such thing in existence as a University of Dublin, distinct, in any particular, from Trinity College.

To very many of the public at large, the point thus raised may well have seemed to be of merely academic interest. But no one can now fail to see that it is a point of extremely practical bearing, and that the object aimed at by those who have raised it and who still continue to press it upon public attention, is one that presents a really serious problem to those who are concerned in the protection of the rights of Irish Catholics in the matter of higher education.

To put it plainly, the present state of the case is this. The Royal Commission,—if the efforts now being made are successful,—is to be led to report that we, the Catholics of Ireland, are, at our own request, to be placed in a position which is one of manifest inferiority to our Protestant fellow-countrymen.

In other words, the Commission is to be asked by Catholics themselves, to report in favour of the maintenance, for some undefined future term, of the association of a Catholic College with the Queen's Colleges of Belfast, Cork, and Galway, in the organisation known as the Royal University,—and this, whilst our Protestant Episcopalian fellow-countrymen are to have for the education of their sons, as they have had for centuries, the one real University College and University in Ireland. I mean, of course, the Protestant College of the Holy Trinity, and the University of Dublin, which, as things at present stand, is absolutely dependent upon that College and controlled by it.

To Catholics who cannot view matters from a Queen's College point of view, this is an eminently unsatisfactory programme. Now, it is as a help to the working out of this unsatisfactory programme that the startling paradox is being so strenuously insisted upon, that, *except as identified* in every particular *with Trinity College*, there is *no such thing as a University of Dublin!*

The demand made upon the public intelligence in this matter is undoubtedly a large one. It comes to this. The Legislature, expressing its mind in Act of Parliament after Act of Parliament,—the legal advisers of the Crown, concerned, throughout the reign of Sovereign after Sovereign, in the framing of College and University Charters,—learned ecclesiastics like Cardinal Cullen,—distinguished Fellows of Trinity College, and members of the University of Dublin, like Doctors Galbraith and Haughton, and others,—eminent lawyers like Isaac Butt,—judicial authorities of the highest standing in England and in Ireland, the Irish Lord Chancellors Blackburne and Sir Joseph Napier, and Lord

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[1] See the *Writings of Cardinal Cullen* vol. 3, page 405.
[2] See the *Catalogue of Graduates* (1869). Introduction, page xv., footnote (*b*).
[3] Reprinted from the *Freeman's Journal* of the 10th of February of the present year (1902).

Cairns, Lord Chancellor of England,[1]—by all of whom the distinction between Trinity College and the University of Dublin has been fully recognised, and, in a number of instances, has been made the basis either of definite action or of practical proposals,—are all to be set aside as hopelessly astray upon this fundamental point!

Extensive as the demand is, there may possibly be something that can be brought forward to sustain it. So far, however, nothing of the kind has been produced.

But I am not now concerned, except in a very general way, with this aspect of the case. It will be time enough to deal with it in detail if anything more worthy of notice is offered for consideration than a few disjointed scraps of what is described as an elaborate judgment,[2]—scraps, too, which to make them look not altogether irrelevant to the purpose for which they are brought forward, are presented, only partly in the form of quotation, and partly in the very unsatisfactory form of what looks like paraphrase.

Surely in so grave a matter, involving an important aspect of the Irish University question, the least that might be expected would be a plain reference to the volume and page of the *Irish Law Reports*, in which the report of the elaborate and erudite judgment referred to is to be found. I have, of course, no doubt that a report of the judgment so confusingly referred to is to be found somewhere or other. But I am fairly confident that it is not to be found where a judgment upon a point so important as that which is represented as having been decided by the judgment in question would naturally be looked for,—namely, in the *Law Reports*.

I may safely presume that in the system of law administered in the Four Courts, there is recognised a distinction akin to the very important distinction made by canonists between the *obiter dicta* of a Judge,—the matters that he introduces in the course of his judgment by way of illustration or of incidental comment,—and the definite matter upon which he exercises his judicial office, and which he judicially decides.

To those who have not seen the report of a judgment, extracts culled from it can give no satisfactory indication as to whether they represent mere *obiter dicta* or not.

In the present case, however, the extracts quoted give some ground for the conjecture that what the Judge who decided the case was concerned with in it was,—not at all a formal determination of the relation of Trinity College to the University of Dublin,—but the mere interpretation of the intentions of an unskilled or unskilfully advised testator, as expressed in a confusing will.[3]

The testator, as it turned out, wished to leave some property to Trinity College, but, in endeavouring to do so, he blundered sadly in the use of the words College and University. According to the brief newspaper reports of the case, the parties to the suit were two representative bodies,—the representative body of Trinity College on the one hand, and the representative body of the University of Dublin on the other.

The Judge, as reported, arrived at the conclusion that the word University, as used in the will, did not mean the University, and did mean the College.[4] He therefore decided for the body representing the College, and against the body representing the University. And he allowed the costs of both parties to be paid out of the estate.

All this is very plain and intelligible if there is such a thing as Trinity College, and also such a thing as a University of Dublin, distinct from the College, in any particular. But if the College is the University, and the University is the College, the report of this case, so far as we have it, simply brings us back to Wonderland[5] again.

But, as I have said, the only point at present of real importance is, that there is now fully disclosed to us the object of all the efforts that have been made,—and that, no doubt, will continue to be made,—to lead the public to believe that, except in so far as it is identical with Trinity College, the University of Dublin has no existence either in law or in fact.

It would seem to be apprehended that the concurrent testimony of so many important witnesses before the Royal Commission, may lead the Commission to report against the continued maintenance of the unnatural association of a Catholic College with the three Queen's Colleges in the organisation known as the Royal University. The breaking up of this association, for the present at all events, has to be averted somehow or other. If this cannot be done directly, it may be done indirectly. Only two other plans of settlement have been recommended to the Commission. Let both of these be discredited, and the field will then be clear.

As to the first of these,—the one consistently favoured by the Bishops,—the establishment of a new College and University, to do for Catholics everything that Trinity College and the University of Dublin do for Protestants, let the idea be created that a Report in favour of this is not really looked for by anyone. Thus one formidable rival may be got out of the way.

As to the second plan—the establishment of a new College in the University of Dublin, to do for Catholics everything that Trinity College does for Protestants,—that may be disposed of by starting the theory that, distinct from Trinity College, *there is no such thing as a University of Dublin in which a College can be established*,—no such thing, in fact, as a University of Dublin at all.

The Act of 1662 (14 and 15 Car. II., cap. 2), and the Act of 1793 (33 Geo. III., cap. 21), are, no doubt, awkwardly in the way here. But no matter. They need not be noticed. Let a discussion be got up about some other Act, and they may perhaps be lost sight of. Then all rival projects being driven from the field, there will survive only the College-in-the-Royal-University plan of settlement.

The case plainly is one in which no opportunity should be given for the strengthening of a position that may easily become dangerous, if public attention be not strongly focussed upon it.

As regards the Catholic Episcopacy of Ireland, the suggested temporising plan is just *the one possible form of dealing with the University question, that has never received support or countenance of any kind from the Bishops*. And in this I speak, not only of their fre-

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[1] I find that I have not anywhere, either in this letter, or in the papers now reprinted from the *I. E. Record*, given my authority for the statement that Lord Cairns concurred in the views of Sir Joseph Napier on the matter in question. I ought perhaps to give it now. We have for the statement the direct authority of Sir Joseph Napier himself. It will be found in an interesting volume published in Dublin, by the publishers to the University, in 1874—a volume of close upon 200 pages, with the title, *Report of the Proceedings at a Special Meeting of the Senate of the University of Dublin, to consider a Draft Queen's Letter for revising the Statutes of Trinity College, and establishing a Council.*

The meeting of the University Senate, the proceedings of which are reported in this volume, occupied seven days. Sir Joseph Napier, as Vice-Chancellor of the University, presided throughout. A short statement made by him at the close of the first day's proceedings is reported as follows:—

"The VICE-CHANCELLOR said he had found himself that day somewhat unexpectedly placed between two fires, having been admonished or rebuked by Dr. Reichel, that he had not sufficiently drawn the distinction between College and University. The Regius Professor of Divinity [Rev. Dr. Salmon, the present Provost] after having made a general assault upon lawyers for having created a confusion on the subject, advised that those who held that opinion should endeavour to get all the 'rubbish' removed.

"When he (Sir Joseph Napier) became Vice-Chancellor of the University, he thought the matter was really in a state of confusion, and he considered it his duty to bring all the care and research he could to bear on it, and have the relations of the College and University accurately stated and cleared up. His paper on the subject, which was submitted to the Senate, and to the Governing Body of the College, had the concurrence of the late Vice-Chancellor. and the present Chancellor, of the University."

The "late Vice-Chancellor of the University," thus referred to, was Mr. Blackburne, ex-Lord-Chancellor of Ireland; and the Chancellor referred to as "the present Chancellor of the University," was Lord Cairns, then Lord Chancellor of England, and Chancellor of the University of Dublin.

[2] This was in reference to the statement, published on the morning of the day on which I wrote, that the present Master of the Rolls, in an elaborate and erudite judgment, had solemnly and judicially decided "that Trinity College is the University of Dublin in every particular, and that the University of Dublin is Trinity College."

[3] The conjecture proved to be quite correct. See page 41.

[4] The newspaper reports of the judgment—to which alone, any clue could be derived from the date of the judgment, which the public had been assured was given to make the judgment itself "easy of reference,"—are of the most meagre description. But to anyone having even an elementary idea of the procedure in such a case, they are amply sufficient to indicate the real purport and effect of the judgment.

[5] See *ante*, page 31.

quent statements as to what the Catholics of Ireland are fully entitled to claim, but also of those other statements, which have been made by the Bishops from time to time, as to the various alternative plans which,—if not in themselves representative of an ideal settlement,—might at all events, be acquiesced in as satisfactory on the score of their not involving any surrender of the fundamental principle of religious equality.[1]

Then, as to lay Catholic opinion in Ireland, I should be amazed if the temporising policy now advocated—based as it is upon the placing of Catholics, as the outcome of the work of the present Commission, in a position of manifest and undeniable inferiority,—finds even a vestige of influential support.

It is humiliating to find the name of Cardinal Newman mentioned,[2] even in the remotest way in connection with the advocacy of such a policy. As an old student of the Catholic University in Dr. Newman's time, I feel it a duty to his memory to quote the memorable words in which he long since enunciated the line of policy contemplated by him as the one to be fallen back upon in case a real need for such a course should at any time arise.

Dr. Newman's words as to this have been before the world for the last four years. They are on record in that easily accessible[3] volume, *The Recollections of Aubrey de Vere*:—

'Newman,' said its lamented author, 'was one of those who could work and wait. I remember his saying to me when things were looking dark—

"We must not be impatient. Time is necessary for all things.

"If we fail at present to create a Catholic University, there remains another great benefit which we may confer on Ireland. We can, in that case, fall back upon a second College in the Dublin University——"

I interrupt the quotation to point out, as it is right for me to do, that Dr. Newman was far from advocating such a solution of the question as an ideal solution of it, or as a solution that he would regard as desirable on its own merits. He contemplated it only in view of a situation such as that which, it is being so persistently proclaimed, confronts us now. I resume the quotation:—

"We can, in that case, fall back upon a second College in the Dublin University, one on as dignified a scale as Trinity College, and in all respects its equal; one doing for Catholics what Trinity College does for Protestants.

"Such a College would tide over the bad time, and eventually develop into a Catholic University."[4]

With what indignation Newman would have denounced a proposal such as that which we now find openly advocated in our midst!

Faithfully yours,

✠ WILLIAM J. WALSH,

Archbishop of Dublin.

III.

TRINITY COLLEGE AND THE UNIVERSITY OF DUBLIN.[5]

In the February number of the *I. E. Record*,[6] I dealt at considerable length with some statements recently made, in which it was denied that there is a distinction of any kind between Trinity College and the University of Dublin. The statements were as follows:—

> I can confidently assert that *no such entity as a University of Dublin, distinct from Trinity College*, or independent of it, or outside it, or in any way apart or separate from it, *exists, or ever did exist, legally, constitutionally, or in fact.*

Again:—

> *The College is thus the University* in *every particular.*

And again, after a quotation from the Act of Union:—

> These words are repeated three times in Article Eight, showing that constitutionally *the University* of Trinity College *and the College* of the Holy Trinity of Dublin *are one and the same thing, perfectly identical.*

It would almost seem that the trouble taken, not merely to establish the existence of the distinction between Trinity College and the University of Dublin, but to point out the precise nature of the distinction between them, was taken in vain. Not more than a day or two after the appearance of the article in which all this had been done, the statement was again put forward, and no less emphatically than before,—

> That Trinity College is the University of Dublin in every particular, and that the University of Dublin is Trinity College.

Furthermore, it was now alleged that, so far from the assertion of the absolute identity of Trinity College with the University of Dublin being in any way inaccurate, or indeed in any way open to question, it was a matter definitely established by a solemn judicial decision:—

> This assertion is not open to argument or doubt, as *it has been solemnly decided by a Court of Justice.*

And, as if in final confirmation of the conclusive character of the judicial decision thus brought to bear upon the point,—a decision given by one of the most eminent members of the Irish Judicature, the present Master of the Rolls,—the public were informed that the decision—

> Was never appealed from, and now places the matter *beyond argument or criticism.*

As to all this, I do not think it proper, in the circumstances, to content myself with a merely general assurance that the assertion—"Trinity College is the University of Dublin, and the University of Dublin is Trinity College,"—often as it may be reiterated, is simply untenable; that every word written in the February issue of the *Record* in refutation of it stands good; and that, as to the additional assertion now made—that the identity of Trinity College with the University of Dublin is a matter not open even to argument or doubt, a matter solemnly affirmed in a court of justice, by a judicial decision, never appealed from, and consequently placing it beyond argument or criticism,—the attempt thus made to sustain the denial of the existence of a distinction between Trinity College and the University of Dublin is as completely out of joint with fact as I have shown the denial itself to be.

I do not, as I have said, think it proper, in the circumstances, to rest satisfied with this mere broad general statement. The readers of the *I. E. Record* have, I feel, a claim upon me to go a step further, and put them in a position to see for themselves how the case really stands, as regards the bearing upon it of the judicial decision referred to. I proceed therefore to do so.

At the outset, I may state at once that the judicial decision in question is one that does not in the most remote degree conflict with any statement of mine. It has nothing whatever to do with any matter ever dealt with by me. To make this plain, nothing more will be needed than to show from the text of the judgment itself, what the point decided by that judgment really was.

The judgment of the Master of the Rolls, out of which so much capital has been sought to be made, has been introduced to public notice in the following terms:—

> An old graduate of Trinity College, named Reid, died in 1883, having by his will bequeathed a large legacy to "The Corporation of the University of Dublin." The question arose, to whom should it be paid. The Corporation of Trinity College claimed it, and *declared that they were entitled to it, because Trinity College is the University of Dublin.*

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[1] See the introduction to this pamphlet, pages 28, 29.

[2] Cardinal Newman's name had been mentioned in the letter, the publication of which led to the writing of the letter here reprinted.

[3] I find that the passage here quoted from the volume mentioned had previously appeared in an article, "Some Recollections of Cardinal Newman," contributed by Mr. De Vere to the *Nineteenth Century* for September, 1896.

[4] *Recollections of Aubrey de Vere*, New York and London, 1897, p. 267.

[5] Reprinted from the *Irish Ecclesiastical Record*, March 1902.

[6] See *ante*, pages 30-36.

> An action was brought . . in the Court of the present Master of the Rolls. The plaintiffs were:—"The Provost, Fellows, and Scholars of Trinity College, Dublin;" the defendants were . . . "the Chancellor, Doctors, and Masters of the University of Dublin."
>
> AS THE PLEADINGS DISCLOSE, the plaintiffs claimed the money, *as being the University*,—

Here, for the second time in the course of this short quotation, we meet with the statement that "the Provost, Fellows, and Scholars of Trinity College,"—that is to say, the Corporation of Trinity College,—claimed Mr. Reid's bequest on the ground that "Trinity College is the University of Dublin." That is a very definite statement. It is a statement made in a letter addressed to a public newspaper by a professional lawyer. The statement, moreover, is coupled with a distinct assurance, given to the public by the writer of the letter, that the claim which he alleges to have been made on behalf of Trinity College was made in a particular document,—one of the documents technically designated "the pleadings" in the case.[1]

I cannot but apprehend that a statement coming before the public with credentials apparently so satisfactory,—especially in view of the volunteered citation of documentary evidence in proof of it,—may, if uncontradicted, be accepted as true. I am obliged, therefore, to say that the statement thus formally made is, nevertheless, quite at variance with fact.

No such assertion as that alleged to have been put forward by the representatives of Trinity College in the suit in question, was ever put forward by them. The documents so strangely referred to as documents in which it is to be found, contain no such assertion. The statement for which the gentleman who has put it forward was unfortunately induced to make himself responsible to the public, is a statement that could not have been made by any person of ordinary intelligence who had read with ordinary care the legal documents referred to.

I shall have something more to say upon this aspect of the case when I come to deal with it in detail. For the present, I resume the quotation:—

> *As the pleadings disclose*, the plaintiffs claimed the money, *as being the University*, and the defendants claimed it on the ground that the University is distinct from the College, and that they represented the University.
>
> The case was argued by eminent counsel on both sides, and on June 2, 1888, the Master of the Rolls delivered an elaborate judgment in which he reviewed the constitution of Trinity College and its University from its creation under the charter of Elizabeth to the date of the judgment . . .
>
> Then his lordship decreed that *the money bequeathed to the University of Dublin must be paid to Trinity College, the two things being inseparable and indistinguishable* . . .
>
> The judgment of the Master of the Rolls . . . never was appealed from, and now places the matter beyond argument or criticism . . .
>
> The next literary critic who desires to prove that there is a University of Dublin distinct from Trinity College may save himself the trouble of reading ancient history by reading one of the most erudite judgments ever delivered at the Four Courts.

I have reserved for separate quotation the following further statement. It is a statement that could hardly fail to inspire full confidence in the accuracy of the account given of the judgment of the Master of the Rolls in the passages I have just quoted. Before transcribing it, I may, however, state that it presents for consideration an aspect of the whole case which, I have no doubt, will seem to many readers of this paper somewhat peculiar, not to say inexplicable. The statement is as follows:—

> It [the judgment of the Master of the Rolls in the case referred to] is *public property*, and *can be read by any person*. I have given *the exact date*, to make it *easy of reference*.

All this might well seem, as I have to confess, it seemed to me when I first read it,—somewhat superfluous. It might fairly be assumed, one would think, that a judgment such as this judgment of the Master of the Rolls was described to be, was not unlikely to be found where any such judgment would naturally be looked for, namely, in the *Law Reports* of the time. It was, we were assured, an elaborate and erudite judgment. No important judgment of the eminent judge by whom it was delivered, could fail to be so. Then, we were told, it judicially decided a matter that unquestionably is of singular interest, as well as of great public importance,—the actual position of Trinity College in relation to the University of Dublin, and of the University of Dublin in relation to Trinity College. Furthermore, as was alleged, it decided all this in such a way as to show that the College and the University are not two things but one,—so that all the supposed legal lore of at least one great lawyer, Isaac Butt, to say nothing of others, in regard to the distinction between the College and the University, was nothing better than empty folly. The decision, we were moreover assured, was of such a nature as to place this matter, once for all, beyond the reach of "argument," "doubt," or "criticism." The volumes of the *Law Reports* for the time in question are so easy of access that the assurance elaborately given, that a judgment of such exceptional importance was "public property," and could "be read by any person," might well seem superfluous.

But, superfluous or not, the assurance was at all events a welcome one. For, whatever might be obscure in the case, one thing was plain. No one who had even an elementary idea of the points to which, in a suit for the interpretation of a will such as that in question, a judge would naturally address himself, could read the statement I have quoted, as to the point decided by the judgment referred to, without desiring to have some further information on the subject. An off-hand assertion that, in interpreting the will of an individual testator, a judge of great eminence undertook to decide, and actually decided, that Trinity College and the University of Dublin are one and the same thing,—even although the assertion was made by a lawyer, and was backed up, as the assertion in question was, by a distinct reference to specified legal documents,—could hardly claim to be entitled to acceptance until the documents thus specified, and the report of the judgment itself, had been examined.

The date of the judgment was considerately given, "to make it easy of reference." The testing of the correctness of the account given of the point at issue in the case, and of the decision given upon it, seemed, then, to be a very simple matter. Any reported judgment can be found with ease by means of the well-arranged Indexes of a volume or two of the *Law Reports*,—or, if necessary, in the last resort, by means of the "Digests," in which the various items of the Indexes to the volumes of a series of the *Reports* extending over a number of years are arranged in alphabetical order throughout.

I have here to touch upon a somewhat personal aspect of the case. I happen to be not unacquainted with the general arrangement of the *Law Reports*. Having taken it for granted that I should be able to find without difficulty the report of the important judgment in question, I thought it somewhat strange that an examination of the volume of the *Reports* for 1888, and subsequently a search through some later volumes of the series, failed to disclose the faintest indication that any question as to the relation of Trinity College to the University of Dublin, or as to their identity, or the distinction between them, had been decided, or had even come before an Irish Court for decision.

The explanation, however, of my failure,—an explanation arrived at with definite certainty only after reference to some legal friends of more than ordinary experience,—was simple enough. This judgment, represented as being of such rare interest, and of such exceptional importance, is not to be found in the *Law Reports* at all.

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[1] I ought perhaps to explain that the word "pleadings" as thus used has reference not to the speeches or other oral statements made by counsel, but to certain written documents that are lodged in Court. One of these, put in by the plaintiffs, is designated the "statement of claim:" another, put in by the defendants, is designated the "statement of defence." In the suit taken with reference to Mr. Reid's bequest these two documents constituted "the pleadings."

We shall see a good deal more about the "pleadings" in this case a little further on. See especially pages 40-41, and the Third Appendix to this pamphlet (pages 33-34).

DOCUMENTS, VI.

Further investigation led to the discovery that a printed report of the judgment is preserved in the Library of Trinity College. Other copies, I must presume, are to be found elsewhere: otherwise it would not be easy to see how the statement that the judgment is "public property" and may be "read by any person," could have been made.

But, let this be as it may, it is hard to see how the mention of the date of the judgment, as the only clue given to facilitate reference to the report, was anything but misleading. A great deal of time and labour that might have been more profitably employed would have been spared if the plain statement had been made —not that this judgment of the Master of the Rolls is "public property" or that it can be "read by any person," or that it was delivered on the 2nd of June, 1888, and so can easily be referred to,—but that a copy of the judgment is to be found, in whatever place, really accessible to the public, a copy of it is to be found in point of fact.

I am assuming—I trust not over-confidently—that the statement publicly made as to this judgment being "public property," is true. I am consequently assuming that a copy of the judgment is to be found in some place where it may be "read by any person" who may not happen to have the privilege of admission to the Library of Trinity College.[1] I may add, however, that, as I have ascertained on inquiry, nothing is known of this important judgment, or of any report of it, either at Messrs. Hodges, Figgis, and Co.'s, the publishers to the University, or in the Library of King's Inns, or even in the National Library of Ireland.

I have not been able to have the report of the judgment searched for elsewhere than in the places I have just now mentioned. My only means therefore of getting access to it was by having the twenty-six pages of the report of it that is preserved in the Library of Trinity College transcribed for me there by two friends, who, with very great kindness, undertook the task. They did so in order that I might not be left without a copy of this judgment with which I was so plainly called upon to deal,—publicly stated, as it had been, that the judgment was legally conclusive against all that I had written in the last issue of the *Record*, the public being at the same time informed that the judgment was "public property," and could be "read by any person."

At all events, I have a full transcript of the judgment before me now.

Also,—as the "pleadings" in the case have been so confidently referred to,—it is satisfactory to know that, although the case in question was decided more than thirteen years ago, the documents appealed to are not at all beyond the range of inspection. Every such document is placed on official record, and I have before me, as I write, an officially certified copy of "the pleadings" at both sides in this case,—"the statement of claim" on the one hand, and the "statement of defence" on the other.[2]

Thus I am in a position to show up in full detail the very peculiar and very questionable way in which the case, and the judgment given in it, have recently been put before the public.

We have seen that the suit brought into Court, was for the judicial interpretation of a will. The will was a very peculiar one. The testator, as it appeared, intended to leave a considerable amount of property to the authorities of Trinity College for certain specified purposes, including a gift of books to the Library, and the establishment of a Professorship and of some Sizarships. But in making his will he mixed up "the University of Dublin," "the Corporation of the University of Dublin," "Trinity College, Dublin," and "the Board of the University," to such an extent that even the Master of the Rolls had no little trouble in undoing the tangled knot.

1. There was a bequest of books to the "Librarian, for the time being, of the University of Dublin,"—the books to be divided by the Librarian, at his discretion, between "The Library of the University" and "The Lending Library of Trinity College."

2. There was a bequest to "The Corporation of the University of Dublin"[3] for the endowment of a Professorship, the duties of which were to be assigned by "the Board of the University."

3. There was another bequest to "The Corporation of the University of Dublin"[4] for the establishment of certain Sizarships in Trinity College,—the conditions to be determined by "the Board of the said University," and a portion of the fund to be applied to rewarding schoolmasters for preparing students "for the Sizarship examinations of the University."

The point to be determined was, to whom the second and third of these bequests were to go.

The question to be adjudicated upon, however, was not, whether the Library of Trinity College is the Library of the College or the Library of the University;—nor whether the Board of Trinity College, consisting of the Provost of the College and the seven Senior Fellows of the College, is the Board of the College or the Board of the University;—nor whether the College examinations for Sizarships are College examinations or University examinations;—nor whether the Corporation of Trinity College is, or is not, the Corporation of the University of Dublin;—nor whether Trinity College is, or is not, the University of Dublin.

None of those questions arose in the case. The question that arose in it was of a widely different nature. Mr. Reid, the testator, whose executors awaited the judgment of the Court, had used in his will the expression, "*the Corporation* of the University," and the question was, what body *he, Mr. Reid, meant to designate by that expression.*

Mr. Reid's bequest was claimed, on the one hand, by the "Provost, Fellows, and Scholars,"—in other words, the Corporation,—of Trinity College. It was claimed, on the other hand, by another corporate body, the Senate of the University of Dublin. To which of these bodies *had Mr. Reid intended his bequest to go?* That was the point to be decided in the case.

This may be the most convenient place to dispose of the extraordinary series of assertions already referred to,—that the case adjudicated upon by the Master of the Rolls was a case of a bequest *to the University*;[5] that Trinity College claimed the money "*as being the University,*"[6] and that the Master of the Rolls upheld the claim of the College, judicially deciding that "*Trinity College is the University of Dublin* in every particular."

Now, in the first place, neither Trinity College, nor its legal representatives, took up any such position as that *the College is the University* of Dublin.

And, secondly, the Master of the Rolls—far from deciding that Trinity College is the University of Dublin,—on the contrary, as we shall see, *distinguished, in this very judgment, between the College and the University* in the clearest possible words.

For the present, I shall deal only with the first of these two points.

Trinity College did not, as alleged, claim the bequest on the ground that the College was the University. It has, as we have seen, been publicly stated, not only that this claim was made, but that the claim is disclosed in the pleadings.

That statement is wholly incorrect. No such claim was made. No such claim, therefore, is disclosed in the pleadings. On the contrary, the "statement of claim" distinguishes clearly between the College and the University throughout.

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[1] Unfortunately, the facts of the case when ascertained have not borne me out in the assumption which I naturally was anxious, not only to make, but to state in my published paper.

[2] See page 39, footnote.

[3] Not to "the University," but to "the Corporation of the University." See footnote 5, below.

[4] See the preceding footnote.

[5] Through an oversight—probably from having so many incorrect statements to call attention to—I made no particular reference to this particularly bad one.

A fundamental mistake made by my legal critic, who has put me to so much trouble in showing up his many mistakes in the case, is that he set out with the notion that Mr. Reid's bequest was to *the University of Dublin.*

Now there was no bequest to "the University." There was a bequest to "the Corporation of the University." I should not have thought that anyone who had the advantage of a legal training could have overlooked the distinction between the two expressions—a distinction which, especially in the view taken by the Master of the Rolls, that "the University" itself is not incorporated, is one of vital importance in the case.

[6] See Appendix III.

The claim made by the College, as the "statement of claim" itself shows, was not that Trinity College is the University of Dublin, or that the Board of Trinity College is the Board of the University. As set out in the pleadings, the claim was that, *there being no such body, strictly speaking,* as "the Board of the University," the words "Board of the University" in the will must be taken to refer to the Board of Trinity College, —this being "the only Body called or known as 'the Board' *either in the College or in the University.*" And so on of the rest.

The "statement of claim" put before the Court on behalf of Trinity College is perfectly definite. As the following summary of it shows, there is nothing stated in it that is not indisputable fact. After setting out Mr. Reid's will, a voluminous document, the statement recounts, in legal terminology, the following facts:—

There is no such Body, strictly speaking, as "the Board of the University:" there is *the Board of Trinity College,* and there is *the Senate of the University.*

Trinity College is *the only College in the University*: by Letters Patent of Elizabeth and Charles I., the College is incorporated under the name of the Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, the Plaintiffs in this action.

The Provost and Senior Fellows *of the College* constitute the Governing Body *of the College*: they are known as the Board of Trinity College. There is no other Body called or known as "the Board," *either in the College or University.*

The defendants in the action, the Senate *of the University,* were incorporated by Letters Patent of Queen Victoria, under the title of the Chancellor, Doctors, and Masters *of the University of Dublin.* These Letters Patent are dated 24th July, 1857.

The testator, Mr. Reid, was educated in Trinity College, where he took his degree of M.A.: he was called to the Irish Bar. He went to Bombay in 1853 [the date is important], and never returned to Ireland.

All the endowments by which *the University of Dublin* is sustained are vested in the Plaintiffs, and are *managed by the Board of Trinity College.*

Until 1874, when a new Body, known as the Council, was constituted by Letters Patent, the appointment of the Professors *in the University* was vested in the Board. It is now, with certain exceptions, vested in the Council, subject to the approval of the Board.[1] Certain other functions (specified), previously discharged by the Board, require, since 1874, the sanction of both Board and Council.

The Council, as constituted by the Letters Patent of 1874, consists of the Provost, or the Vice-Provost, of Trinity College, and sixteen other members elected out of the Members of the Senate *of the University.*

The *Board of Trinity College* elect to all the existing *Sizarships, after the usual examination of candidates.*

Beyond the usual formal statements, as to the death of the testator, the grant of probate to his executors, the amount of property bequeathed, and so forth, the statement of claim contains nothing more.[2]

This, I trust, sufficiently disposes of the unaccountable assertion that:—

> AS THE PLEADINGS DISCLOSE, the plaintiffs claimed the money, *as being the University.*

At the other side, the case of the defendants, the Senate of the University, came simply to this: that the Senate was incorporated under the title, "The Chancellor, Doctors, and Masters of the University of Dublin" and that the body thus incorporated was the one designated by Mr. Reid, "The Corporation of the University of Dublin."

The case thus lay between two corporate bodies, the Corporation of Trinity College and the Corporation of the Senate of the University, each claiming to be the Corporation to which Mr. Reid intended his bequest to go.

As the Master of the Rolls expressed it:—

> This is a case of latent[3] ambiguity, and in such cases the rule is (when the fact of ambiguity is shown), first to see whether the other words of the will afford grounds sufficient to enable us to decide between the two conflicting bodies, and, if not, then to admit extrinsic evidence.

And again, towards the close of the judgment:—

> In my opinion, treating the question as one *of intention,* the testator has clearly shown on the face of the will itself that WHAT HE MEANT *by "The Corporation of the University of Dublin"* was the Corporation of Trinity College.
>
> I am bound *to give effect to* THAT INTENTION unless it is encountered by some rule of law.

At this point, it may be well, for the information of those who may not otherwise have an opportunity of making themselves acquainted with the provisions of the law relating to such matters, to indicate, as briefly as possible, to what extent, and under what conditions, the personal intention of a testator is taken by a court of law as determining the true interpretation of his will.

The fundamental principle to be followed in the interpretation of a will is essentially different from that which regulates the interpretation, for instance, of a deed. In a deed, every phrase and every word has to be construed with technical accuracy, without reference to the personal intentions of the parties to the deed, however clearly ascertained those intentions may be. It is quite otherwise with a will. As to this, the common-sense rule of the common law is stated as follows in a manual of authority:—

> In construing wills, the Courts have always borne in mind that a testator may not have had the same opportunity of legal advice in drawing his will as he would have had in executing a deed. And the first great maxim of construction accordingly is, that the intention of the testator ought to be observed.[4]

This explains how it was that the principal point to be adjudicated upon in the suit in the Rolls Court between the Senate of the University of Dublin and the Board of Trinity College, was, whether, by the complicated phraseology which he employed in his will, Mr. Reid,—the testator whose will was in question,—*meant to designate the College* or *meant to designate the University.*

There is, however, an important point to be noted here. It would be by no means correct to state without qualification that the ascertained intention of a testator is, in all cases, to determine the interpretation of his will. Such a statement, indeed, would be very far from the truth. The intention to which effect will be given must be one *that can be gathered from the will itself.* In other words, it must be an intention in some way expressed in the will,—that is to say, the will must be so worded as to be *capable of bearing the meaning* that has to be put upon it in order to give effect to the testator's ascertained intention.

Moreover, a Court is by no means left to its own uncontrolled discretion in deciding whether an expression in a will is capable of being construed so as to give effect to the ascertained intention of a testator. It would not, for instance, depend upon the merely personal view of a judge whether such an expression as "The Corporation of the University of Dublin," could be taken by him as meaning "The Corporation of Trinity College," or whether such an expression as "The Board of the University," could be taken by him as meaning "The Board of Trinity College," on its being ascertained that those were the meanings which a testator personally intended to convey by the expressions in question. To quote again from the same manual:—

> The decisions of the Courts in pursuing this maxim [that the intention of the testator ought to be observed], have given rise to a number of subsidiary rules, to be applied in making out the testator's in-

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[1] As to this, see page 54, footnote 1.

[2] To shut out all possible room for cavil, I have printed in full in the Third Appendix to this pamphlet every paragragh in the "statement of claim," in which either "Trinity College" or "the College," or "the University of Dublin," or "the University" is mentioned. See pages 53–54.

[3] It is, fortunately, unnecessary to enter upon an explanation of the technical distinction between "latent" ambiguity and "patent" ambiguity. It is sufficient to know that the ambiguity in Mr. Reid's bequests was an ambiguity that was to be dealt with by the Court in the manner so clearly expressed in the extract from the Master of the Rolls' judgment, quoted in the text above.

[4] Williams. *Principles of the Law of Real Property* (17th edition). London, 1892, page 229.

tention; and, when doubts occur, these rules are always made use of to determine the meaning; so that the true legal construction of a will is occasionally different from that which would occur to the mind of an unprofessional reader.[1]

As the same writer goes on to explain,—

> Certainty cannot be obtained without uniformity, nor uniformity without rule. Rules, therefore, have been found to be absolutely necessary; and the indefinite maxim of observing the intention is now largely qualified by the numerous decisions which have been made, respecting all manner of doubtful points, each of which decisions forms and confirms a rule of construction, to be attended to whenever any similar difficulty occurs.[2]

Now it is a fundamental rule in this matter that an expression which, from usage or otherwise, has one definite meaning, and one definite meaning only, cannot have a different meaning put upon it by a Court for the sake of carrying out the ascertained intention of a testator. A bequest, for instance, made to St. Vincent's Hospital, Dublin, would not, in any circumstances, be awarded by a Court to the Mater Misericordiæ Hospital, Dublin. In such a case, evidence as to the intention of the testator,—evidence, for instance, that he named the one hospital instead of the other, simply by mistake,—would not be admissible.

Thus, in a case in which a testator devised to certain trustees all his estates in the County of Limerick, and it was proved that he had no estates in that county, but had estates in the adjoining County of Clare, it was decided in the House of Lords by Lord Brougham, then Lord Chancellor, assisted by Chief Justice Tindal, and by Lord Lyndhurst, Chief Baron, that evidence to prove that the testator intended to devise his Clare estates, and that the word Limerick was inserted by mistake for Clare, was not admissible.[3]

This rule, of course, determines the construction of a bequest in which a word occurs which has, by statute, or any equivalent way, acquired a definite meaning. Thus, for instance,—the word "acre" having a statutory meaning,—it has been decided that evidence was not admissible to prove that a testator who devised forty-five acres of land in Ireland, meant Irish, not statute, acres.[4]

In the case of Mr. Reid's bequests, there was, as we shall see, no real room for doubt that by the words "the University of Dublin" he meant to designate Trinity College. But before the judge could go into any inquiry as to what Mr. Reid's intentions were, he had to ascertain whether there was room for any such inquiry,—as there certainly would not have been, if, in the case of Trinity College and of the University of Dublin, the expression "the University" had been determined by statute, or by unvaried usage, to designate only the University, as distinct from the College. As is clearly expressed in the passage already quoted from the judgment,[5] it is only "*when the fact of ambiguity is shown*," that the rule about seeking, in other parts of the will or elsewhere, for evidence of the testator's intention can be applied.

Thus, as the Master of the Rolls pointed out in his judgment,—

> If the gift had been to "the Senate," or to "the Chancellor, Doctors, or Masters," there would have been no question, since, whatever belief one might have had of the intention of the testator, the body would have been unmistakably defined.

No one, indeed, could assert that, in the case of Trinity College and the University of Dublin, those two designations have been uniformly and consistently used to designate, respectively, the College and the University. I have had occasion elsewhere[6] to call attention to the fact that, whilst, in a number of Acts of Parliament, the College and the University are clearly and sharply distinguished, there is at least one Act in which the two expressions "the College" and "the University" are plainly used to designate the same body. A similar absence of uniformity in usage is to be observed,—as I have also had occasion to point out,[7]—in the case of some of the Letters Patent or Charters referring to the College and the University.

The "looseness"—to use the Master of the Rolls' expression,—with which the expressions, the "College," and the "University," have thus been used both by the Crown and by the Legislature, in reference to Trinity College and the University of Dublin, was clearly brought out by him in an elaborate analysis of the earlier College Charters, the Act of Union, and the Irish Reform Act of 1834.

The incorporation effected by the Letters Patent of 1857 was, in his opinion,—

> Not the incorporation of the University of Dublin, but of *its Senate* merely.

Still, as he expressed it,—

> There are two bodies in existence [the plaintiffs and the defendants in the case, the Corporation of Trinity College on the one hand, and the Corporation of the Senate of the University on the other] to either of which [in the will in question] the designation of "Corporation of the University of Dublin" may refer, and to one or other of which it must refer; not with strict accuracy in either case perhaps, but *sufficiently clearly to enable a gift to take effect in favour of* WHICHEVER IS IN FACT MEANT.

In other words, there was no such unvaried and consistent use of the expressions as would *stand in the way of the carrying out of Mr. Reid's intention* in favour of either body, if his intention as to which of the two he meant to make his legatee could be ascertained.

The question being thus reduced to a question as to the personal intention of Mr. Reid, the claims of the different bodies whom he might be supposed to have intended to designate had to be considered.

First, the Master of the Rolls dealt with the body known as "the Council." In the course of the proceedings in Court, it had been suggested that this might be taken to be the body which Mr. Reid had designated "The Board of the University."

"The Council" is a body of somewhat recent erection. It was brought into existence by Letters Patent of the late Queen, dated November 4, 1874. In relation to the distinction between the College and the University, these Letters Patent of 1874 are of considerable importance. They distinguish clearly between the two bodies, the College and the University. Having done so, they vest in a "Council," to be elected from amongst the members of the Senate of the University,—and, to a certain specified extent, by the members of the Senate, voting as members of it,[8]— certain powers previously vested in the Board of Trinity College alone.[9] The following extracts from the Letters Patent may usefully be transcribed here:—

> Whereas the regulations of the Studies, Lectures, and Examinations *in our said College of the Holy and Undivided Trinity*, near Dublin, preliminary to obtaining Degrees in Arts or Faculties *in our University of Dublin*, and the appointment and election of Professors, have been vested in the Provost and Senior Fellows *of our said College*. . . .
>
> And whereas it has been represented to us that it is desirable that a Council, to be constituted . . as hereafter mentioned, should . . have a share in the regulation of the Studies, Lectures, and Examinations of *our said College*, and in the appointment and election of Professors, and the regulation of the tenure of office and the duties of said Professors. . .
>
> And whereas the Provost and Senior Fellows *of our said College* and the Senate *of our said University* have given their assent to the constitution . . of such Council, it is therefore our will and pleasure that a Council be constituted . . which shall consist of the following members.

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[1] Williams. *Principles of the Law of Real Property* (17th edition), London, 1892, page 230.
[2] *Ibid.*
[3] See *Jarman on Wills* (5th edition, London, 1893), vol. i., p. 412.
[4] *Ibid.*, page 392, footnote (*e*).
[5] See *ante*, page 41.
[6] In the letter already referred to in footnote 3, page 30.
[7] See the letter referred to in the preceding footnote.
[8] Some details as to the method of election of this important body, the Council, will be found in the Third Appendix. See page 54, footnote 2.
[9] As to these powers, and the restriction imposed upon them by the Letters Patent of 1874, constituting the Council, see Appendix III., page 54, footnote 1.

The Letters Patent then go on to provide for the election of a Council, consisting of "the Provost *of our said College*," and of sixteen members. These members are—

> To be elected out of the Members of the Senate *of our said University.*

Regulations for the holding of the first election were to be framed, not by the Provost of the College, but by—

> The Chancellor, or, in his absence, the Vice-Chancellor, *of our said University.*

Power was also given to "the Provost and Senior Fellows, and Council," acting jointly, to alter the rules regarding the election of the Members of the Council, with, however, the proviso—

> That no such . . variations shall have any force or efficacy until they shall have received the sanction of *the Senate of the University*, in congregation lawfully assembled.

With certain specified exceptions, the nomination to all Professorships is then given to the "Council," subject to the approval of the Provost and Senior Fellows of the College. But the Provost and Senior Fellows cannot hinder the appointment of a Professor nominated by the Senate, *except on grounds judged by* THE CHANCELLOR OF THE UNIVERSITY *to be sufficient.*[1]

Before the establishment of the Council, the existence of the University, as distinct from the College, had, of course, been fully recognised by law. The University, as distinct from the College, had, for instance, the capacity of receiving within it one or more Colleges, other than Trinity College—such as the "other Colleges or Halls," contemplated by the Charter of James I.,—or such as the College, "to be of the University of Dublin," and "to be called by the name of the King's College," the erection of which was provided for by the Act of 1667,—or such as the College, to be "a member of the University of Dublin," the erection of which was contemplated by the Act of 1793.

But,—distinct as Trinity College and the University of Dublin undoubtedly were,—there was, until a comparatively recent time, but little that could be regarded as a visible indication of the distinction between them. This was no less so, as regards the students and other residents in the College, than as regards the public outside. As—in speaking of the state of things in the College when Mr. Reid was a student there, "long before the Senate was incorporated, or the Council heard of,"—the Master of the Rolls felicitously expressed it, the College and University were, at that time, "inseparably and indistinguishably blended."[2] But the establishment of the Council made a striking change. The members of the Council are elected exclusively from amongst the members of the Senate of the University, and a specified section of them are elected by the members of the Senate of the University, voting as members of the Senate.[3] Thus, through its Senate, the University, as distinct from either the Corporation of Trinity College, or the Board of Trinity College, became a tangible reality in connection with the College and its educational work.

The suggestion that the expression, "The Board of the University," in Mr. Reid's will, might mean the Council, was set aside by the Master of the Rolls as *quite untenable.* Of the Council he said:—

> I need not allude in detail to its constitution; suffice it to say it is nowhere called "the Board" in any official document.

And again, towards the close of the judgment:—

> "The Board" has a well-defined meaning in Trinity College. It means the Provost and Senior Fellows. It was contended . . that the word is synonymous with "Council." In my opinion the testator *did not mean* to designate *a body which was not constituted till long after his connection with Trinity College ceased.*
>
> The contest here is between the College and the Senate.

In the second place, the Master of the Rolls took up the case of the defendants, "the Chancellor, Doctors, and Masters of the University of Dublin,"—the Senate of the University.

The question being as to the testator's intention, the case of the Senate was an essentially weak one. The Senate,—as I explained in my paper in the last number of the *I. E. Record*,—was not incorporated until 1857, years after the testator had left the College and University. There was no reason to suppose that Mr. Reid, living, as he did, away in India, had ever even heard of the incorporation of the Senate. At all events, there was nothing whatever to support the view that the Senate was the body *which he meant to designate* by the expression, "The Corporation of the University of Dublin."

Besides, as the Master of the Rolls pointed out, that was not even a technically correct designation of the Senate. Speaking of the Letters Patent of 1857, by which—

> The Senate or Congregation of the University of Dublin, consisting of the Chancellor, Doctors in the several faculties, and Masters of Arts of the said University—

had been erected into a body corporate—

> under the name, style, and title, of the Chancellor, Doctors, and Masters of the University of Dublin,—

the Master of the Rolls considered that this was an incorporation, not of the University of Dublin, but of its Senate.[4] Neither on the ground, then, of strict legal accuracy in designation, nor on the ground that Mr. Reid, by the expression "The Corporation of the University," could be held to have meant to designate the Senate, could judgment be given in favour of that body.

The Senate of the University being thus excluded, the only remaining body that Mr. Reid could be supposed to have intended to designate by the expressions in his will was Trinity College. We are now nearing the close of this interesting judgment, and we reach the point at which, as I have mentioned in an earlier part of this paper, the Master of the Rolls, so far from having decided that Trinity College and the University of Dublin are "inseparable and indistinguishable," or—

> That Trinity College is the University of Dublin in every particular, and that the University of Dublin is Trinity College,—

on the contrary, most formally and expressly distinguished between them.

I quote from the judgment. Coming to his final judicial interpretation of Mr. Reid's intention as expressed in the will, the Master of the Rolls said:—

> In the words of the will itself are to be found indications which leave to my mind no doubt as to what his intention was . .

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[1] As to this, see Appendix III., page 54, footnote 1.

[2] One of the strangest of the many strange statements recently made in reference to the Master of the Rolls' judgment is that in which this felicitous phrase, admirably expressive of the close combination of the two bodies, the College and the University, is represented as a decision that the University is the College, and that the College is the University!

Starting from the postulate that the description of one institution as the parent of another, *Collegium, Mater Universitatis*, is only an expressive way of saying that the two institutions are one and the same, we must, of course, be prepared to find ourselves brought face to face with some eccentric results.

[3] See Appendix III., page 54, footnote 2.

[4] Although the point stands quite apart from any question dealt with either in this or in my former paper, it is interesting to note that, on the question described in my article in the February number of the *Record* (see page 35) as "a lawyers' question, pure and simple," with which I was "not in any way concerned," the Master of the Rolls held that, prior to the Letters Patent of 1857, the Corporation of Trinity College was the only Corporation connected with either the College or the University. This was the view taken also by that eminent lawyer, the late Baron Fitzgerald (see *ante*, page 34).

The Master of the Rolls, after expressing his view on this point, added:—'It cannot, therefore, admit of doubt that, prior to the Letters Patent of Queen Victoria [A.D. 1857], a gift to "*The Corporation* of the University of Dublin," would have meant a gift to Trinity College, Dublin, and could have meant nothing else.'

It may be worth noting that,—as is quite clear from several passages of his judgment,—the attention of the Master of the Rolls, strange to say, was not called by any of the counsel in the case to the important legal opinion of Sir Joseph Napier. As to this, see *ante*, pages 33–35, and Appendix II., pages 51, 52.

First, he bequeaths all the books which he may die possessed of "to the Librarian, for the time being, of the University of Dublin."

There is no *Librarian of the University of Dublin*, or of the Senate of the University of Dublin. There is a *Librarian of Trinity College.*

No Librarian of the University of Dublin, and yet a Librarian of Trinity College! These strikingly definite statements, let it be remembered, occur in the judgment which, as the public have been most formally assured, decided—

> That Trinity College is the University of Dublin in every particular, and that the University of Dublin is Trinity College.

Notwithstanding Mr. Reid's obvious mistake in the designation of the person to whom he wished to bequeath his books in trust for the College Library,—notwithstanding even the fact that in the bequest itself he not merely called that Library "the Library of the University," but distinguished it by this designation from another library, the lending Library, which he properly designated, "of Trinity College,"—no question was raised, or could be raised, as to this bequest. *Falsa demonstratio non nocet cum de corpore constat.*

So much for the bequest to the Library. Then as to the bequest for the Professorship, the Master of the Rolls said:—

> Secondly, the testator bequeaths his shares or stock . . . to his trustees for the purpose of paying the same to the Corporation of the University of Dublin, to endow in the said University a Professorship . . provided that it shall be lawful for the Board of the University to assign any other duties . .to be performed by the said Professor . .
>
> The word Board has a well-defined meaning in Trinity College. It means the Provost and Senior Fellows. It was contended . . that the word is synonymous with Council. In my opinion the testator did not mean to designate a body which was not constituted till long after his connection with Trinity College ceased; and his use of the words 'Board of the University' affords *a key to what he meant by 'the Corporation of the University of Dublin.'*

Here again, as we see, the question was, What body did Mr. Reid *mean to designate* when he *said* "The Corporation of the University of Dublin."

As to the bequest for the establishment of additional Sizarships, the words of the Master of the Rolls were especially pointed and emphatic. He said:—

> Thirdly, the testator bequeaths his Three per cent. Consolidated Bank Annuities to the Corporation of the University of Dublin, "to found in Trinity College, Dublin, additional Sizarships . . and the Board of the said University shall determine the annual stipend to be allowed . . and I empower the same Board to apply the residue . . to such schoolmasters . . as [under certain conditions] shall undertake to prepare . . a certain number of boys . . for the Sizarship Examinations of the University" . .
>
> There are *no Sizarships in the University.* They are *in the College.*
>
> There are *no Sizarship examinations of the University.* They are held *in, and by, Trinity College.*

No Sizarships in the University, and yet Sizarships in the College! No Sizarship examinations of the University, and yet Sizarship examinations held in, and by, Trinity College! And we find all this emphatically stated in the judgment which, it was sought to lead the public to believe had decided:—

> That Trinity College is the University of Dublin in every particular, and that the University of Dublin is Trinity College.

But this line of comment, necessary in the circumstances is becoming monotonous. I will only add that it was immediately after the words just quoted, relating to Mr. Reid's expression, "the Sizarship examinations of the University," that the Master of the Rolls concluded his judgment with the following pithy summing up of the case, the two first sentences of which I have quoted in an earlier portion of this article, as a luminous introduction to all that was to follow:—

> In my opinion, treating the question as one of *intention*, the testator has clearly shown on the face of the will itself that WHAT HE MEANT *by the Corporation of the University of Dublin* was the Corporation of Trinity College.
>
> I am bound *to give effect to* THAT INTENTION unless it is encountered by some rule of law.
>
> I have already shown,—at, I fear, too great length,—that the phrase, "Corporation of the University of Dublin" has NO SUCH DEFINED MEANING as, in a case like the present, *excluding all enquiry as to particular intention*; and I have therefore no hesitation in pronouncing a decree for the plaintiffs.

And this is the end of the case in which the issue was represented to be, whether Trinity College is, or is not, the University of Dublin! And this is the judgment which was represented as having decided that Trinity College is the University of Dublin in every particular, and that the University of Dublin is Trinity College!

The importance of the question dealt with in this paper is manifest. Just now, a determined effort is being made to secure for a temporising policy in the matter of University education in Ireland, whatever Catholic support can be secured for it.[1] It ought, we are told, to be recommended to the Royal Commission now inquiring into the subject, that the Commission, as the outcome of its inquiry, should report in favour of the establishment of a College for Catholics in the so-called "University," known as the Royal University of Ireland.

In justification of the policy thus suggested, it is proclaimed that the establishment of a Catholic University, or the establishment even of what has come to be known as a "University for Catholics," is now quite out of the question. The Catholics of Ireland are told, then, that instead of looking for the establishment of a new University for themselves, or of looking for equality with their Protestant fellow-countrymen on any other line,—by means, for instance, of the foundation, in the University of Dublin, of a Catholic College equal in all respects to the present solitary College of that University, Trinity College,—they will better consult for their own interests if they meekly accept as inevitable a further postponement for some indefinite time, of the establishment of religious equality in the matter of higher education in Ireland, and beg of the Royal Commission to report in favour of the establishment of a College for them, side by side with the Queen's Colleges, in the Royal "University"!

To secure some foothold for this temporising policy, no stone is being left unturned. Thus the public have recently been told that one road to equality, hitherto supposed to have been open, is hopelessly blocked by a definite judgment of a court of law, solemnly deciding that there is no such thing as a University of Dublin distinct from Trinity College.

If this were so, the idea of establishing in the University of Dublin a College for Catholics, distinct from Trinity College, and on a footing in the University in all respects equal to that of Trinity College, would be a mere chimera. There would be an end, then, of one possible project, as to which the Bishops of Ireland have publicly declared themselves satisfied that, under it, religious equality could be fully secured, and every religious interest fully safeguarded.[2]

It seemed well worth taking the necessary pains to show the utter irrelevancy of the appeal to the judicial decision by which as the public were led to believe, progress in that particular direction had been proved to be impossible. One thing has now been made plain. There is no judicial decision to the effect alleged.

Will the attempt, then, that has been made to represent that one particular line of settlement of the Irish University question on the basis of religious equality lies outside the sphere of legal possibility, be persisted in? If it be, some other method of furthering it will have to be tried than that of appealing to a judgment which, as has now been conclusively shown, decided nothing whatever as to the relation, whether of identity or of distinction, between Trinity College and the University of Dublin, and was simply a judicial interpretation of what a certain Mr. Reid meant by two or three puzzling expressions in some clumsily drafted clauses of his will.

✠ W. J. W.

[1] See the Introduction to this pamphlet.

[2] See pages 35, 36.

APPENDIX I.

JUDGMENT

OF THE

RIGHT HON. THE MASTER OF THE ROLLS, DECIDING THAT A BEQUEST TO 'THE CORPORATION OF THE UNIVERSITY OF DUBLIN' IN THE WILL OF A MR. R. T. REID, VESTED IN THE 'PROVOST, FELLOWS, AND SCHOLARS OF TRINITY COLLEGE, DUBLIN.'

As an introduction to the interesting judgment already referred to,[1] in which the Master of the Rolls succeeded in putting an intelligible construction upon the curiously worded bequests of a Mr. Richard Tuohill Reid, I may here state a few particulars regarding the testator, which have come to my knowledge in the way already described in the Introduction to this pamphlet.[2]

THE TESTATOR.

Mr. Richard Tuohill Reid, founder, by his will, of "The Reid Professorship of Penal Legislation, Constitutional and Criminal Law, and the Law of Evidence,"[3] in the University of Dublin, had been a student and sizar of Trinity College in 1845. This appears from the University Calendar[4] for 1846

Mr. Reid's name, strange to say, appears neither in the "Catalogue of Graduates"[5] of the University, published in 1869, nor in the additions made to that Catalogue in the second volume,[6] published in 1896.

The issue of the once well-known Dublin newspaper, *Saunders' News Letter*, for Tuesday, May 31, 1853, contains the following announcement:—

LAW INTELLIGENCE.

Court of Chancery—Yesterday.—Admission of Barristers.

"At the sitting of the Court, Richard Tuohill Reid, Esq., LL.B., T.C.D., only son of Herbert Reid, of Killarney, and Michael Henry Galway, Esq., A.B., eldest son of Henry Galway, of Greenfield, County Cork, both of whom are Roman Catholics, were admitted as Barristers.

"Mr. Reid, we understand, does not intend to remain permanently in Ireland. He holds a legal professorship of £600 a year in Bombay, to which place he purposes returning after a short sojourn in Ireland.

"He was a student of Trinity College, where he distinguished himself, and completed his terms to be called to the Bar five years ago. He went to India, and has been obliged at vast expense to return to Ireland to be admitted to the Bar, the present state of the law applicable to such cases rendering such a step indispensable."

As appears from the official records of the suit in the Rolls Court, Mr. Reid, after returning to Bombay in 1853, never came back to Ireland.[7] He died at Rome on the 11th of February, 1883.

THE INTERPRETATION OF THE WILL.

The judgment of the Master of the Rolls, which is an "unreported" one, is here reprinted from the recently published volume of Statutes, Charters, and other Documents relating to Trinity College and to the University of Dublin.

Mr. Reid's bequests were to "THE CORPORATION *of the University* of Dublin." They were claimed, on the one hand, by the "Provost, Fellows, and Scholars" of Trinity College, a body incorporated by Queen Elizabeth in 1592. They were claimed, on the other hand, by another corporate body, "the Chancellor, Doctors, and Masters of the University of Dublin,"—in other words, the Senate of the University,—a body which was incorporated by Queen Victoria in 1857. The suit between the two corporations was, of course, a friendly one.

The Master of the Rolls held (1) that, "the University of Dublin" is not itself a legally "incorporated" body, and that consequently there is no existing Corporation to which the designation "*The Corporation of the University* of Dublin," strictly speaking, applies; that (2), in relation to Trinity College and the University of Dublin, the words "College" and "University" have, on a number of occasions, been "loosely" used, both by the Crown and by the legislature, so that the phrase, "Corporation of the University of Dublin," used by Mr. Reid, has no such defined meaning as to shut out inquiry as to what Mr. Reid, in using it, really intended,—that is to say, whether he intended to indicate the College or intended to indicate the University; and (3) that Mr. Reid's use of the word "University" in several expressions in his will, which are *in no way applicable to the University of Dublin*, but are *fully applicable to Trinity College*, show that the body to which he really *intended his bequests to go* was the Corporation of Trinity College.

The judgment, then, naturally divides itself into four sections:—

1. The statement of the facts set out in the "pleadings" in the case,[8]—that is to say, in the "statement of claim," put in on behalf of Trinity College, and in the "defence" put in on behalf of the Senate of the University of Dublin. This first section of the judgment extends from page 46 to page 47.

2. The examination of a number of Charters and Acts of Parliament, which was undertaken by the Master of the Rolls in order to show that the expressions "the College" and "the University" were used, on a number of occasions, both by the Crown and by the Legislature, so "loosely" as to enable Mr. Reid's will to be interpreted *according to the personal intention of the testator*, in so far as this could be gathered from his will. This section of the judgment extends from page 47 to page 49.

3. The decision that the incorporation of the Senate of the University in 1857, was not an incorporation of the University,—the University, in the Master of the Rolls' opinion, never having been incorporated,—the result being that there is no body in existence to which the designation "*The Corporation of* the University of Dublin," could, strictly speaking, apply. This section extends from page 49 to page 50.

4. The determining of Mr. Reid's meaning, as gathered from several expressions in his will, which were *in no way applicable to the University*, but were *fully applicable to Trinity College*, and which consequently made it clear that when, in the bequests that were in question, Mr. Reid said "the University," the body that he must have meant to designate was Trinity College. This is the concluding section of the judgment, and extends from page 50 to page 51.

I have to make one further introductory remark. It regards what I designated in the first of my two papers "as a lawyers' question, pure and simple," with which I have not been "in any way concerned,"[9]—the question, namely, whether the University of Dublin is a distinct "corporation" in the legal sense of the word.

As to this, it cannot be out of place to express regret that the attention of the Master of the Rolls had not been directed to the train of legal reasoning which Sir Joseph Napier regarded as conclusively establishing—not that the University was incorporated by the Letters Patent of 1857, which, of course, it was not,—but that, centuries before the formal incorporation of the Senate of the University by the Letters Patent of 1857, the University itself had been incorporated by its foundress, Queen Elizabeth.[10]

An analysis by the Master of the Rolls of Sir Joseph Napier's view of the case would have made the judgment as interesting upon this branch of the case as it is upon all others.

But, as I have said, this is a matter in which I am not in any way concerned.

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[1] See *ante*, page 29, and 38–44.
[2] See introduction, page 29.
[3] See the Dublin University Calendar for 1901, Special Supplemental Volume, pp. 332, 333.
[4] See the Calendar for 1846, page 138.
[5] *A Catalogue of Graduates who have proceeded to Degrees in the University of Dublin, from the earliest recorded Commencements to July*, 1866. With Supplement to December 16, 1868. (Dublin, 1869).
[6] *A Catalogue of Graduates of the University of Dublin.* Vol. ii. (Dublin, 1896).
[7] See *ante*, page 41.
[8] See the Introduction to this pamphlet, page 29.
[9] See *ante*, page 35.
[10] See *ante*, pages 33–35, and 51–52.

DOCUMENTS, VI.

THE REPRINT OF THE MASTER OF THE ROLLS' JUDGMENT.

The following is a reprint of the recently published judgment of the Master of the Rolls in Mr. Reid's case. It is to be regretted that the report of the judgment was published, as it evidently has been, without the advantages of correction and revision which it would have had if it were being published in the *Law Reports*.

I have not felt justified in venturing upon any correction of the misprints which are obvious in it, especially in the Latin extracts. I direct attention to them in footnotes, making no change in the text, as printed by the Trinity College authorities.

The misprints, as a rule, indeed, are so obvious that they really do not need to be pointed out. One of them, the expression, *Collegium, Matrem Universitatem*, as made to apply to Trinity College, might possibly lead to some confusion, as seeming to identify the College and the University. But, as occurring in the Elizabethan Charter, the phrase *Mater Universitatis*,—and consequently *Matrem Universitatis*,—is such a very well-known one, that I do not think the misprint could really mislead. Still, it may be useful to direct attention, in a footnote, to each misprint as it occurs.

THE JUDGMENT.

The suit regarding Mr. Reid's bequests stood for judgment on the 2nd day of June, 1888, and on that day the following judgment was given by the Master of the Rolls:—

This case comes before the Court on a motion by the plaintiffs on admissions in the pleadings.

The plaintiffs are the Provost, Fellows, and Scholars of Trinity College, Dublin, and the defendants are the Attorney-General, the Chancellor, Doctors, and Masters of the University of Dublin, and the Trustees and Executors of the will of the late Richard Tuohill Reid, Barrister-at-Law, formerly of Killarney, in the county of Kerry, and afterwards of Bombay, in the East Indies.[1]

The will of Mr. Reid is set out *in extenso* in the plaintiffs' statement of claim, except that in the will the testator describes himself as LL.D., without stating, however, of what University. The will bears date the 22nd of September, 1881. It commences by appointing the defendants, Sir George Christopher Molesworth Birdwood, Knight, M.D., of the India Office, and James Cornelius O'Dowd, Deputy Judge Advocate-General, and Barrister-at-Law, of No. 35, Great George's-street, Westminster, his executors.

The statement of claim alleges that the testator died on the 11th day of February, 1883, at Rome, without having revoked or altered his will, which was duly proved in the Probate Division of her Majesty's High Court of Justice in England by the defendants George Christopher Molesworth Birdwood and James Cornelius O'Dowd, on the 25th day of April, 1883. The testator had no assets in Ireland.

Hannah Reid, the sister of the testator in his will mentioned, died before him, on the 9th day of February, 1883. Her life estate, therefore, never came into existence. The ready money and cash at the testator's bankers were sufficient for payment of his debts, funeral and testamentary expenses, and the other expenses connected with the administration of the estate.

The bequest in the will contained of all the testator's shares or stock in the Great Indian Peninsula Railway Company, and in the Bombay, Baroda, and Central India Railway Company, is, for the sake of convenience, referred to as the second bequest; and the bequest of all the testator's funds in Three per Cent. Consolidated Bank Annuities is referred to as the third bequest.

The testator was, at the time of his death, possessed of the sums of £2,800 Great Indian Peninsula Railway Company Guaranteed £5 per Cent. Stock, and £1,904 Bombay, Baroda, and Central India Railway Company Stock; which sums became vested in his executors, as trustees of his will, for the purposes of the second bequest; and he also died possessed of the sum of £6,089 13*s.* 4*d.* Consolidated £3 per Cent. Bank Annuities, transferable at the Bank of England, which became vested for the purposes of the third bequest.

As to the second bequest, the plaintiffs say that there is no such body, strictly speaking, as the Board of the University. The defendants, the Senate of the University, have been incorporated by Letters Patent, dated the 24th of July, 1857, under the title of The Chancellor, Doctors, and Masters of the University of Dublin, and, as such Corporation, are, by the said Letters Patent, empowered to hold and acquire such property, real and personal, as may be given or bequeathed to them. Up to the present the defendants have not acquired, nor do they now hold, any property.

As to the third bequest, the plaintiffs say "that Trinity College, Dublin, is the only College in the University, and is incorporated by the Letters Patent, or Charter of the 34th year of Queen Elizabeth, which was confirmed by the Letters Patent or Charter of the 13th Charles I., under the name of the Provost, Fellows, and Scholars, of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, who are the plaintiffs in this action. The Provost and senior Fellows of the said College are by the said Charter and the Statutes of the College constituted the Governing Body of the College, and are known as the Board of Trinity College, Dublin. There is no other body called or known as the Board either in the College or University." That statement must be taken as uncontradicted.

The defendants, the executors, having been informed of the facts aforesaid, were advised that they could not safely give effect to the second and third bequests without the protection of the Court, and accordingly they lodged in the Chancery Division of the High Court of Justice in England, to the following credit:—"In the matter of the trusts of the bequest by the will of the late Richard Tuohill Reid, in favour of the Corporation of the University of Dublin, in trust to found a Professorship of Penal Legislation,"—the said sum of £1,904, Bombay, Baroda, and Central India Railway Company Stock, and the sum of £2,300, Great Indian Peninsula Railway Company Guaranteed £5 per cent. Stock, part of the said sum of £2,800 like stock; and £339 8*s.* 6*d.* cash, representing the said second bequest, and the dividends that had accrued in respect thereof up to the 1st July, 1884, less by a sum of £702 16*s.* paid by the same defendants in respect of duty on the capital of the second bequest; and £26 2*s.* for duty on the income thereof, and £27 10*s.* being a moiety of the costs of and incident to the lodgment in Court.

The defendants, the executors, also lodged in the Chancery Division of the said High Court of Justice in England, to the following credit:—"In the matter of the trusts of the bequest by the Will of the late Richard Tuohill Reid, in favour of the Corporation of the University of Dublin, in trust to found in Trinity College, Dublin, additional Sizarships, Exhibitions, and for other purposes,"—the sum of £5,463 17*s.* 11*d.* Consolidated £3 per Cent. Bank Annuities, part of the said sum of £6,089 13*s.* 4*d.* like annuities, and £217 4*s.* 8*d.* cash, representing the third bequest, and the dividends that had accrued in respect thereof, up to the 5th July, 1884, less by a sum of £616 11*s.* 6*d.* paid by the same defendants in respect of legacy duty on the capital of the third bequest; and £16 9*s.* for duty on the income thereof, and £27 10*s.* being the remaining moiety of the costs hereinbefore mentioned.

The result of this proceeding was the payment of 10 per cent. legacy duty for both the second and third bequests, from which duty they would probably have been free if lodged in this Court, inasmuch as the law in England is different from that in this country. Here no duty is payable on bequests for purposes merely charitable in Ireland.

The statement of claim then states that the testator, who was born in the County of Kerry, was educated in Trinity College, Dublin, where he took the degree of Master of Arts. He was afterwards called to the Irish Bar, and went to Bombay in the year 1853, after which period he never returned to Ireland.

The statement of claim then avers that all the endowments estates and property by which the University of Dublin is sustained, including all endowments for special purposes, are vested in the plaintiffs, and managed by the Board of Trinity College. The appointment and election of the Professors in the University was also vested in the said Board up to the time when

[1] [I should mention that, for the sake of clearness, I have made some changes in the paragraphing of the judgment the paragraphing of which in the printed copy is very defective.

As there are several footnotes in the printed copy of the judgment, I may also mention that I have enclosed in brackets as in the present case, each footnote that I have myself added in this reprint.]

the Council was constituted by Letters Patent of the 4th day of November, 1874. By these Letters Patent the nomination to all professorships, with certain specified exceptions, is now vested in the Council, subject to the approval of the Board; and, since the constitution of the Council, any proposed alterations in the rules and regulations respecting any studies, lectures, or examinations (not connected with the Divinity School), and also any proposed alterations in the rules and regulations respecting the qualifications, duties, and tenure of office of any professor (not connected with the Divinity School), require the approval both of the Board and of the Council. No new professorship can now be created or founded by the Board without the consent of the Council.

The Council consists of the Provost, or in his absence the Vice-Provost, of Trinity College, and sixteen other members elected out of the members of the Senate of the University.

The Board of Trinity College elect to all the existing sizarships, after the usual examination of candidates.

The statement of claim then states that the plaintiffs are desirous that a scheme or schemes may be settled and approved by the Court for the regulation and management of the said charitable bequests respectively, and for the application of the income of the said stocks and securities, pursuant to the trusts by the said Will declared with respect to the same respectively, and that the plaintiffs may be at liberty to apply in the Chancery Division in the High Court of Justice in England for the transfer to the credit of this action of the several securities and moneys standing to the credits respectively hereinbefore mentioned.

The plaintiffs claim:—

1. That the trusts of the Will of the testator Richard Tuohill Reid, with respect to the second and third bequests respectively, may be carried into execution under the direction of the Court.
2. That the plaintiffs may be at liberty to apply in the Chancery Division of the High Court of Justice in England in the said matter, under the Trustee Relief Act, for the transfer and payment into this Court, to the credit of this action, of the several securities and moneys which now are, or shall at any time hereafter be, standing to the said credits hereinbefore mentioned.
3. That a scheme or schemes may be approved by the Court, directing the regulation and management of the said charitable bequests respectively, and the application of the income of the said stocks and securities, pursuant to the trusts of the said will, declared with respect to the same respectively.
4. That for the purposes aforesaid all necessary accounts may be taken, inquiries made, and directions given, and

Such further relief as the case may require.

The Chancellor, Doctors, and Masters of the University of Dublin have filed a statement of defence, by which they admit the making of the will as set forth in the statement of claim, and the statements of fact and the documents in the statement of claim mentioned, and submit that they are the body designated as the Corporation of the University of Dublin in the will; and that the stocks and funds which are in the statement of claim designated as the 2nd and 3rd legacy bequests respectively should be transferred and paid to them for the purposes of the will; and state that they are desirous that a scheme or schemes directing the regulation and management of the said charitable bequests respectively, and the application of the income of the same, may be settled and approved of by the Court, as in the statement of claim is prayed.

The Attorney-General has delivered a statement of defence in which he states in substance that he has no knowledge of the several matters in dispute, but submits that the legacies are good charitable bequests.

The principal question for decision therefore is, What is the body which the testator designates as "The Corporation of the University of Dublin"?

Trinity College, Dublin, was founded by Queen Elizabeth by a Charter dated A.D. 1592, in the 34th year of her reign. That Charter is of great importance in determining the constitution of Trinity College, and of the University of Dublin.

That Charter recites:—

"Cum dilectus subditus noster Henricus Ussher Archidiaconus Dubliniensis nobis humiliter supplicavit, nomine civitatis Dubliniensis, pro eo quod nullum Collegium pro Scholaribus in bonis literis et artibus eruditis infra regnum nostrum Hiberniæ adhuc existit; ut unum Collegium *matrem Universitatem*[1] juxta civitatem Dubliniensem ad meliorem educationem, institutionem, et instructionem Scholarium et studentium in regno nostro prædicto erigere, fundare, et stabilire dignaremur."

And goes on to provide:—

"Quod de cætero sit, et erit, unum Collegium mater Universitatis in quodam loco vocato Allhallowes juxta Dublin prædictum, pro educatione, institutione, et instructione juvenum, et studentium in artibus et facultatibus, perpetuis futuris temporibus duraturum, et quod erit, et vocabitur COLLEGIUM SANCTÆ ET INDIVIDUÆ TRINITATIS JUXTA DUBLIN A SERENISSIMA REGINA ELIZABETH FUNDATUM. Ac illud Collegium de uno Præposito et de tribus Sociis nomine plurium, et tribus Scholaribus nomine plurium, in perpetuum continuaturum erigimus, ordinamus, creamus, fundamus, et stabilimus firmiter per præsentes."[2]

Then, after naming the first Provost, Fellows, and Scholars, the Charter proceeds to incorporate them:—

"Per nomen PRÆPOSITI, SOCIORUM, ET SCHOLARIUM COLLEGII SANCTÆ TRINITATIS ELIZABETHÆ REGINÆ JUXTA DUBLIN."[3]

Then follow directions as to the election in future of the Provost, Fellows, and Scholars, who are empowered to acquire and hold manors, lands, tenements, and hereditaments for the maintenance of the College, and to sue and be sued by their corporate name; and the Charter continues in these most important words:—

"Et cum gradus quosdam in artibus et facultatibus constitui literis fuisse adumento[4] compertum sit ordinamus per præsentes, ut studiosi in hoc Collegio sanctæ et individuæ Trinitatis Elizabethæ Reginæ juxta Dublin, libertatem et facultatem habeant, gradus tum Baccalaureatus, Magisterii, et Doctoratus, juxta tempus idoneum in omnibus artibus et facultatibus obtinendi."[5]

The 'tempus idoneum' here probably[6] refers to the period at which the first Undergraduates would be ready to receive degrees. The Charter proceeds:—

"Hoc semper iterum proviso, ut cum hujus Collegii Socii septem integros annos post gradum Magisterii ibi assumptum adimpleverint, tum e Sociorum numero amoveantur, ut alii in eorum locum suffecti, pro hujus Regni et Ecclesiae beneficio, emolumentum habeant; et ut intra se[7] pro hujusmodi gradibus assequendis habeant libertatem, omnia acta, et scholastica exercitia adimplendi, quemadmodum Præposito, et majori parti Sociorum visum fuerit, ac ut omnes personas pro hujusmodi rebus melius promovendis eligere, creare, nominare, et ordinare possint, sive sit Procancellarius, Procurator, aut Procuratores, (nam Cancellarii dignitatem honoratissimo et fidelissimo Consiliario nostro, Guilelmo[8] Cecillio, Domino Baroni de Burghley, totius Angliæ Thesaurario, delegatam approbamus), et ut posthac idoneam hujusmodi personam, cum defuerit, pro hujus Collegii Cancellario Præpositus, et major pars Sociorum eligant, ordinamus."

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[1] [*Matrem* Universitatem is, of course, a misprint for *Matrem Universitatis*. As to this phrase, see pages 31, 32–34, 46. The words are italicised as above, in the printed report of the judgment. In the volume referred to, *Collegii Statuta*, from which the passage is quoted, they are printed in ordinary type. In all subsequent cases of a change of type, I shall print the words in the type in which they are printed in the volume from which they are quoted].

[2] *Coll. Stat.*, vol. i., p. 2.

[3] *Ibid.*, p. 3.

[4] [Obviously a misprint for "adjumento."]

[5] *Ibid.*, vol. i., pp. 7 and 8.

[6] [See Sir Joseph Napier's statement, on pages 33, 34 and 51, 52.]

[7] [The words "intra se," curiously, are put into capital letters in the judgment as printed. I have compared this with the volume from which the quotation is made (*Coll. Stat.*, vol. i., page 8). The words are there printed in the ordinary type.]

[8] [In the volume (*Coll. Stat.*, vol. i.) from which the quotation is made, "Gulielmo."]

DOCUMENTS, VI.

This Charter was granted in 1592, and no other Charter or Letters Patent were granted during Elizabeth's reign.

In 1613, further Letters Patent were granted by King James I. An interval of twenty-one years therefore had elapsed between them and the Charter of Elizabeth; and that Degrees must during that interval have been conferred on students of the College appears to me[1] to be beyond doubt. Therefore it must have been considered that the Charter of Elizabeth, *proprio vigore*, conferred upon the College power to grant degrees. Some body, duly authorized by the Crown, must have conferred them: since the granting of degrees is a branch of the Royal prerogative, the Crown being the fountain of honour. The Chancellor, Vice-Chancellor, and Proctors were not incorporated; the Provost, Fellows, and Scholars were: and it follows that they must have conferred the degrees in the interval between the Charter of Elizabeth and that of James I., though, no doubt, in this the College acted through the Vice-Chancellor.[1]

The Charter of James, after reciting the Charter of Elizabeth, proceeds:—

"Cumque dictum collegium sit et habeatur universitas, ac habeat, gaudeat, et utatur omnibus et singulis libertatibus, privilegiis, et immunitatibus ad universitatem sive academiam pertinentibus sive spectantibus[2] . . . idcirco[3] operæ pretium et necesarium[4] videtur quod dictum collegium et universitas[5] habeant plenam et absolutam potestatem duos Burgenses de seipsis eligendi, eosque mittendi ad supremam illam curiam Parliamenti, in hoc regno nostro Hiberniæ, de tempore in tempus, tenendi: in qua quidem curia hujusmodi Burgenses sic electi et missi, juxta formam universitatis Oxoniensis et Cantabrigiensis in Anglia usitatam, notum faciant verum statum dicti Collegii ac universitatis ibidem; ita ut nullum statutum aut actus generalis dicto Collegio ac universitati privatim, sine justa ac debita notitia et informatione in ea parte habita, præjudicit[6] aut noceat; SCIATIS quod nos, de gratia nostra speciali, . . . voluimus et concessimus, ac per præsentes[7] pro nobis hæredibus, et successoribus nostris, voluimus[8] et consedimus,[9] præfatis Præposito, Sociis, et Scholaribus dicti Collegii, et successoribus suis, necnon ordinamus et stabilimus per præsentes, perpetuis futuris temporibus quod sint et erunt in dicto Collegio ac universitate juxta Dublin duo Burgenses Parliamenti nostri, hæredum, et successorum nostrorum."[10]

The words just quoted, such as "Cumque dictum Collegium sit et habeatur universitas," "et utatur omnibus et singulis libertatibus privilegiis et immunitatibus ad universitatem pertinentibus," "Collegii et universitatis prædictæ," "quod dictum collegium et universitas habeant"[11]; again, the same words, "dicti Collegii ac universitatis," "dicto Collegio ac universitate juxta Dublin," show that the framers of the Charter considered Trinity College and the University of Dublin as so inseparably connected that their titles are used throughout as synonymous terms. To whom is the power of electing two members given? "Præfatis Præposito, Sociis, et Scholaribus dicti Collegii."

The Charter recites that Trinity College was founded by Queen Elizabeth, "ad exemplum academiarum nostrarum Oxoniensis et Cantabrigiensis." Oxford and Cambridge are, no doubt, in some respect analogous Universities. But they are essentially different in this, that they each contain several Colleges; and I do not think that the reference to them in this Charter indicates an intention that Trinity College and the University of Dublin should be separate bodies.

The next Charter is that of 13 Charles I., which bears date in 1637.[12] It recites the Charter of Elizabeth, and states that by it she granted "quod deinceps esset unum Collegium mater Universitatis, in quodam loco vocato Allhallowes juxta Dublin." It then recites the incorporation of the College; its power to acquire and hold lands for the maintenance of the College; its capacity of suing and being sued in actions, real, personal, and mixed; of having a common seal; the power of the Provost and majority of the Fellows to make laws, statutes, and ordinances, for the government of the College; and that "eadem nuper regina per easdam literas suas patentes ordinaverit, ut studiosi in dicto Collegio libertatem et facultatem haberent gradus tum Baccalaureatus, Magisterii et Doctoratus, juxta tempus idoneum, in omnibus artibus et facultatibus obtinendi; et ut intra se, pro hujusmodi gradibus assequendis haberent libertatem omnia acta et scholastica exercitia adimplendi, quemadmodum Præposito, et majori parti Sociorum usum[13] foret." The Charter confirms the Charter of Elizabeth in respect of its above recited provisions, and provides, with the consent of the Provost, Fellows, and Scholars, that Fellows should not be removed at the end of seven years, as provided by the Charter of Elizabeth: recalls the power of the Provost and Fellows to make statutes and ordinances, and reserves that power to the Crown; repeals those already made, and substitutes an amended code.

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[1] [This is one of the passages of the judgment that make it quite clear that the Master of the Rolls' attention was not called to the elaborate paper by Sir Joseph Napier.
See Sir J. Napier's statement, on pages 33, 34 and 51, 52.]

[2] [In the printed copy of the judgment this sentence is printed in capital letters
But in the volume from which the quotation is made (*Coll. Stat.*, vol. 1) the sentence is printed in ordinary type.]

[3] [At this point, there is some confusion in the printed judgment.
By reference to the page referred to in the volume from which the quotation is made (*Coll. Stat.*, vol. i., page 309) it will be seen that the "idcirco" plainly refers to the omitted words, the omission of which is marked by the dots.
As the omitted passage is one that distinguishes in the clearest possible manner between Trinity College, "dictum Collegium," and the University, "dicta Universitas," it may usefully be transcribed here. It is as follows:—
"Quandoquidem in Parliamentis tenendis in dicto regno nostro Hibernia diversi actus sive statuta proponi et inactitari [apparently meaning 'to be enacted'!] poterint, tam pro bono ecclesiæ generali, quam pro sana gubernatione et regimine Collegii et Universitatis prædictæ, et pro dispositione et præservatione reddituum, revenditionum, et possessionum dicti Collegii, *ac aliorum Collegiorum sive aularum in dicta Universitate in posterum erigendarum et stabiliendarum:* IDCIRCO operæ pretium et necessarium videtur," etc., etc, as above.]

[4] [Another instance of the carelessness with which the judgment has been printed and published.]

[5] [In the printed copy of the judgment, the words "dictum Collegium et Universitas" are printed in capital letters.
In the volume from which the quotation is made, they are printed in ordinary type.
The printing of those words in capitals seems to have been intended to indicate that the "Collegium" and the "Universitas" are one and the same thing, qualified by the one word "dictum."
As to this, the clearly marked distinction between the College and the University in the omitted passage quoted in the preceding footnote must not be lost sight of.
But there is a still more important point to be noted. If the printing in capitals had been extended to the verb that immediately follows, it would have been made manifest that the passage, so far from confounding the University with the College, expressly indicates that the two are distinct. The words are—"quod dictum Collegium et Universitas HABEANT . . potestatem . . DE SEIPIS eligendi," etc., etc.]

[6] [Obviously a misprint for "præjudicet."]

[7] [Another obvious misprint: "præsentes."]

[8] [Another obvious misprint: "volumus."]

[9] [Another obvious misprint: "concedimus."]

[10] *Coll. Stat.*, vol. i., pp. 309, 310.

[11] [In view of the many inaccuracies of the printed report, it is surely not unreasonable to assume that the Master of the Rolls never quoted the words "quod dictum Collegium *et* Universitas *habeant*" as proving that "the framers of the Charter considered Trinity College and the University as so inseparably connected that their titles are used throughout as synonymous terms."]

[12] *Coll. Stat.*, vol. i., p. 10.

[13] [Plainly a misprint for "visum"]

In further Letters Patent of the same year (13 Charles I.) I find this recital (after referring to the great advantage of schools and universities in England): —"Quod et reipsa fecit regina Elizabetha celebris memoriæ Collegium Sanctæ Trinitatis juxta urbem Dubliniensem extruendo; quod etiam annuis reditibus dotavit et academiæ privilegiis[1] ornavit."[2]

The Letters Patent then proceed to establish certain laws for the government of the College. The Provost and seven senior Fellows are to form a Board. The Board are to have the government of the College, the election of the Fellows, officials, etc., and the conferring of degrees "graduumque collationes definiant, et concludant."[3] A more clear assertion that the College had the right of conferring degrees it is not easy to imagine.

The next Letters Patent which I have to refer to are those of the 34 George III. (A.D. 1794). They are addressed to the Provost and senior Fellows, and relate to the admission of Roman Catholic students to degrees, and announce: . . . . . "quod omnibus subditis nostris, qui religionem Pontificiam sive Romano-Catholicam profitentur, liceat et deinceps licebit in dictum Collegium admitti, atque gradus in dicta academia[4] obtinere præstitis prius omnibus exercitiis per leges et consuetudines academiae requisitis, aliquo statuto dicti Collegii, aut statuto, regula, aut consuetudine quacunque dictae academiæ in contrarium non obstante."[5]

Now, pausing here, if nothing else had happened, what was the position of the University of Dublin? There was no separate incorporation of it. If there had been, it must have been by Royal Charter by virtue of the prerogative of the Crown. There was no express creation of it apart from the College. The College had the power of electing the Chancellor and the other officers, and of "defining and determining" the conferring of degrees. The College was supreme; and the University was a branch or department of it, if indeed the College itself was not more accurately the University. That it was so considered by the framers of the Charter of James I. appears from the expressions: "sit et habeatur universitas," "academiæ privilegiis ornavit," and from the power of the College to confer degrees "intra se." It cannot therefore admit of doubt that prior to the Letters Patent of Queen Victoria a gift to the "Corporation of the University of Dublin" would have meant a gift to Trinity College, Dublin, and could have meant nothing else.

Both phrases, Trinity College, Dublin, and University of Dublin, are used interchangeably, as well in Acts of Parliament as in the Charters and Regulations. The Fourth Article of the Act of Union of Great Britain and Ireland, 40 Geo. III. c. 38, is, "that four lords spiritual, by rotation of sessions, and twenty-eight lords temporal elected for life by the peers of Ireland shall be the number to sit and vote on the part of Ireland, in the House of Lords of the United Kingdom; and one hundred commoners (two for each county in Ireland, two for the City of Dublin, two for the City of Cork, one for the University of Trinity College,[6] and one for each of most considerable cities, towns, and boroughs) be the number to sit and vote, on the part of Ireland, in the House of Commons of the Parliament of the United Kingdom."[7]

By the Reform Act of 1832, 2 & 3 William IV. c. 88, section 11, it is (no doubt) enacted that "the city of Limerick, the city of Waterford, the borough of Belfast, and the University of Dublin[8] shall each respectively return one member to serve in such future Parliament, in addition to the member which each of the said places is now by law entitled to return." But by sect. 70 it is provided "that in addition to the persons now qualified to vote at the election of a member to serve in Parliament for the University of Dublin,[9] every person being of the age of twenty-one years, who has obtained, or hereafter shall obtain, the degree of Master of Arts, or any higher degree, &c., or a Scholarship or Fellowship in the said University, shall be entitled to vote for the election of a member or members to serve in any future Parliament for the said University," &c. By the University of Dublin in this context Trinity College must also be meant, since Scholarships and Fellowships belong to the College, and not to the University proper.

The Act of Settlement, too, speaks of the lands of the University, meaning obviously the lands of Trinity College, Dublin. The corporation of the College was at that time the corporation of the University. There was no other corporation but that of the College, which, in the words of the Letters Patent of James I., was declared, and was held to be, a University, "sit et habeatur universitas."

There is nothing in this view, I think, opposed to the opinion of the late Mr. Blackburne, Vice-Chancellor of the University.[10] He said:—

> "It is now, for any practical purpose, not necessary to inquire whether the University was a corporate body before the late Charter. But I may observe that through the agency of the Chancellor, or the Vice-Chancellor, and other proper officers, for whose perpetual appointment the Crown made ample provision, the power to grant degrees was insured to continue for all time. So, and in like manner, the succession of members of the Senate was to be for ever supplied out of the members of another body expressly incorporated."[11]

Mr. Blackburne thus gives no positive opinion on the question. Nor is the view I have expressed opposed, in my opinion, to the fundamental idea of College and University. The Universities of Oxford and Cambridge are in some respects anomalous bodies, differing[12] in constitution from nearly all, if not all, other ancient Universities.

In *The Attorney-General* v. *Lady Downing and others* (Wilmot's Ca. and Op. 14), Lord Chief Justice Wilmot says:—

> "And, indeed, I think Universities and Colleges are within the proper and genuine sense and meaning of the words 'Schools of learning.'[13] The places where the public exercises are performed are called the schools. An University is a great school, incorporated to instruct, by their Professors and regular exercises, all who come to study there, and by degrees to give their students rank and credit in the republic of letters, and which are qualifications for lucrative offices and employments in life. It is a public school of divinity, physic, law, and all arts and sciences. And colleges are schools of learning, furnishing scholars for the universal school, which is a combination of all those schools; and in any other view than as schools of learning they are as useless to society as monasteries; and, therefore, I think they are not only within the equity of the Act, but within the words of it. And I consider this devise as made for the further augmenting of the University; and for that reason the University, in its corporate capacity, is very properly made a relator in this information being materially and essentially interested in the benefaction. For though the University is not a corporation of Colleges, but of matriculated members, and all colleges are separate corporations, yet these colleges attract and furnish the members to be matriculated, and every new college enlarges the universal school, and by increasing the number of scholars adds weight, dignity, and strength to the University."

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[1] [In the printed copy of the Judgment, the words "academiæ privilegiis ornavit" are printed in capital letters. In the volume from which the quotation is made (*Coll. Stat.*, vol. i., page 30), the words are printed in ordinary type. As to these words, see pages 33, 34, and 51, 52,]

[2] *Coll. Stat.*, vol. i., p. 30.

[3] [What is said in several preceding footnotes as to the printing of certain words in capital letters, applies also to these words, "graduumque collationes definiant et concludant."]

[4] [See page 52, footnote 5].

[5] [See the preceding footnote].

[6] [In the printed copy of the judgment, the words "one for the University of Trinity College" are printed in italics.]

[7] *Coll. Stat.*, vol. i., p. 315.

[8] [In the printed copy of the Judgment, the words "the University of Dublin" are printed in italics.]

[9] [What is said in the preceding footnote applies to these words: "for the University of Dublin" also. And the same remark applies to the words: "or a Scholarship or Fellowship in the said University."]

[10] [See pages 34, 35, of this pamphlet.]

[11] *Coll. Stat.*, vol. ii., p. 145.

[12] [In the printed copy of the Judgment, the word "differing" is printed in italics.]

[13] In the Statute, 43 Eliz., c. 4, s. 1.

DOCUMENTS, VI.

Generally speaking, a University and College are one body. The Universities of Bologna and Paris are both teaching Universities, and Trinity College in this respect appears to have resembled them.

We now come to the Letters Patent of the Queen (21 Vict., July 24th, 1857). In them we find the following recitals:—

"Whereas we are informed that the Senate or congregation of the University of Dublin, consisting of the Chancellor or Vice-Chancellor, Doctors in the several faculties and Masters of Arts in the said University, has heretofore for the last two hundred years and upwards been governed by certain rules or statutes entitled 'Regulae seu Consuetudines Universitatis Dubliniensis pro solenniore graduum collatone.'[1] And whereas our right trusty and right entirely beloved Counsellor, John George Archbishop of Armagh, Primate of all Ireland, Chancellor of the said University; our right trusty and well-beloved Counsellor, Francis Blackburne, Doctor of Laws, Vice-Chancellor of the said University; and our trusty and well-beloved the Provost and Senior Fellows of the College of the Holy and Undivided Trinity, near Dublin, have humbly represented unto us that the said rules or statutes have, by lapse of time, become in many respects obsolete and unsuited to the present state of the said University and College, and doubts have been raised as to whether the Provost and Senior Fellows of the said College have power to alter and amend the same; and the said Chancellor, Vice-Chancellor, Provost and Senior Fellows have therefore humbly supplicated us to remove the said doubts, and to grant unto the Provost and Senior Fellows of the said College, and also unto the Senate or Congregation of the said University, such further powers as will enable them to revise, alter, or repeal the said rules and usages relating to the conferring of degrees by the said University, and to enact other rules or regulations for the same purpose, to be binding and obligatory on all members of the University."[2]

Then the granting part of the Letters Patent is as follows:—

"We are graciously pleased to accede to their request. Know ye, therefore, that we, of our special grace, certain knowledge, and mere motion, by and with the advice and consent of our right trusty and well-beloved cousin and counsellor, George William Frederick Earl of Carlisle, our Lieutenant-General, and General Governor of Ireland, do, by these presents, for us, our heirs and successors, enact and confirm to the Provost and Senior Fellows of the College of the Holy and Undivided Trinity aforesaid, and unto the Chancellor or Vice-Chancellor, Doctors and Masters of the said University, all such powers, rights, and privileges, as by the Charters and Statutes of our royal predecessors to the Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity aforesaid, or to the University of Dublin aforesaid, have heretofore been given, granted or by usage and prescription possessed, without any alteration or diminution whatever as herein provided.

"And it is our will and pleasure that the Provost and Senior Fellows of our said College of the Holy and Undivided Trinity shall have power, if they shall think fit, to alter, amend, and repeal all laws, rules, or bye-laws heretofore existing, for the more solemn conferring of Degrees by the Senate of the University aforesaid, and to make, enact, and enforce, from time to time, such additional laws, rules, and bye-laws, to alter or vary the same for the like purpose as to them shall seem fit. Provided always that no such new laws, rules, or bye-laws, or emendations or alterations of such existing laws, rules, or bye-laws, shall be of force or binding upon the said University until they shall have received the sanction of the Senate of the same in congregation lawfully assembled."[3]

No law is to be proposed except by the Board. Then, the constitution, powers, and privileges of the Senate are defined and determined, and to carry out the objects in view the Senate is incorporated in these words:—

"And our will and pleasure further is, that the Senate[4] of the said University shall be, and continue to be, a body corporate, and have a common seal, and shall have power under the said seal to do all such acts as may be lawful for them to do (in conformity with the laws and statutes of the realm, and with the Charter and Statutes of the College of the Holy and Undivided Trinity, and with the Statutes, Laws, and Bye-Laws made or to be made in pursuance of these our Royal Letters) under the name, style and title of the Chancellor, Doctors, and Masters of the University of Dublin.

"It shall be further lawful for the said Chancellor, Doctors, and Masters to apply the funds which may or shall belong to the said University Senate for the promotion of useful learning in the said University, subject to such regulations as the Provost and senior Fellows of our said College shall approve of or subscribe.

"And it shall be lawful for the said Chancellor, Doctors, and Masters of the said University, in their corporate capacity as aforesaid, to have, hold, acquire and receive such lands, manors, tenements, or other property, real or personal, as may from the date of these presents be given or bequeathed unto them, by any person whatsoever, for the encouragement of learning in the said University. Provided also that such gift or bequest does not impose any condition or obligation inconsistent with the Statutes of the University in force at the time of such gift or bequest, or inconsistent with the Charters and Statutes of the College of the Holy and Undivided Trinity, near Dublin."[5]

It is on these Letters Patent and the incorporation therein contained of the Chancellor, Doctors, and Masters, that the claim of the Senate, who are the defendants, depends. In my opinion, that is not the incorporation of the University of Dublin, but of its Senate merely.

By another Charter of the same reign another University, the Queen's University, has been incorporated. The second Charter of the Queen's University (I have not the first one at hand) is in these words:—

"We do will, order, ... and found a University, which shall be one body politic and corporate by the name of the Queen's University in Ireland." . . . . "And we do further will and order that the said body politic and corporate shall consist of a Chancellor, Senators, Secretary, Professors, Graduates, and Students."

Thus we find a Charter of the same reign, dated a few years after the Charter incorporating the Senate, by which a University was incorporated, consisting of a Chancellor, Senators, a Secretary, Graduates, and Students, and in it the persons precisely defined and described of which the University is to consist. This is not an accidental circumstance. The advisers of Queen Victoria knew how to incorporate a University when they meant to do so.

There is, however, another body, viz., the Council, which was established by Letters Patent of 38 & 39 Vict.[6] (November 4, 1874), and to which it is said the will of Mr. Reid refers when he speaks of the "Board." I need not allude in detail to its constitution: suffice it to say, it is nowhere called the Board in any official instrument. The contest here is between the College and the Senate.

There are, therefore, two bodies in existence, to either of which the designation of Corporation of the University of Dublin may refer, and to one or other of which it must refer, not with strict accuracy in either case, perhaps, but sufficiently clearly to enable a gift to take effect in favour of whichever is in fact meant. If the gift had been to the "Senate" or to the Chancellors, Doctors, and Masters, there would have been no question, since whatever belief one might have had of the intention of the testator, the body would have been unmistakably defined.

There is, of course, no reported case in point: *Mostyn* v. *Mostyn*, 5 H.L.C., 155; *Stringer* v. *Gardiner*, 27 Beav. 35, 4 De Gex and J. 468, are cases of gifts to known individuals where there is some inaccuracy in the name and the description connected with it. Nor have *Ellis* v. *Houston*, 10 Ch. Div. 236, or *Holmes* v. *Custance*, 12 Ves. 279, any intimate bearing upon it.

[1] [An obvious misprint for "collatione"].
[2] *Coll. Stat.*, vol. ii., pp. 135, 136.
[3] *Coll. Stat.*, vol. ii., pp. 135–137.
[4] [In the printed copy of the judgment, the word Senate is printed in italics. In the volume from which the passage is quoted, the word is printed in ordinary type.]
[5] *Coll. Stat.*, vol. ii., pp. 142–145.
[6] *Coll. Stat.*, vol. ii., p. 372.

Kilvert's Trusts, L. R. Ch. 171, comes perhaps nearer to the present case than any of those which were cited. In that case a testatrix by a will made in 1868 gave a legacy to the "treasurer for the time being of the fund for the relief of the widows and orphans of the clergy of the diocese of Worcester, to be applied by him in the benefit of the charity." Two societies made a claim—one had been founded in 1777 for the relief of the widows and orphans of the clergy of the diocese, at which time the diocese comprised only the Archdeaconry of Worcester. In 1837 the Archdeaconry of Coventry was added to the diocese, and in 1848 the Worcester Society altered its title so as to show that its operations were restricted to the Archdeaconry of Worcester. The other Society had been founded in 1877 for the relief of widows and orphans of clergy in the Archdeaconry of Coventry. The father of the testatrix had been a subscriber to the Worcester Society till his death in 1817. His widow had continued the subscription till her death in 1860, and the testatrix had continued it from that time at an increased rate; but it did not appear that the testatrix or any of her family had subscribed to the Coventry Society; it was held by Vice-Chancellor Malins that the gift was to be treated as a gift to an object, not to a particular society, but must be apportioned between the two societies. But the Court of Appeal held that the gift was a gift to a particular society, with a slight inaccuracy of description, and that the Worcester Society was solely entitled. Lord Justice James said:—

"Parol evidence is admissible to show which of the two was meant. Evidence has always been admitted to show which of two societies the testator knew, and to which of them he subscribed. Such evidence is admissible to remove an ambiguity, if there has been sufficient ground laid to raise an ambiguity, and I am assuming against the appellant that the Coventry Society have raised an ambiguity. The fund must, in my opinion, be paid to the treasurer of the Worcester Society."

Lord Justice Mellish:—"I am of the same opinion. The language of the bequest shows that the testatrix had some particular society in her mind, and the question is, What Society? There is no difference between the course to be adopted here and in any other case of finding who answers the description given in a will of a legatee. If there was no society answering the description sufficiently to enable it to claim the legacy, it might be that the Court would carry the gift into effect as a gift for the relief of the widows and orphans of the clergy of the diocese. Here, however, I think it clear that the appellants come near enough to the description to be entitled to the legacy, if there was no other society to compete with them. There is a description of the society by its old name; that name has been changed, but that object is precisely the same as at first, and the old name is wholly inapplicable to it. Then, assuming another society to come near enough to the description to have ground for a claim, parol evidence is admissable to remove the ambiguity, and the evidence given is decisive."

This, in short, is a case of latent ambiguity, and in such cases the rule is (when the fact of ambiguity is shown) first to see whether the other words of the will afford grounds sufficient to enable us to decide between the two conflicting bodies, and if not, then to admit extrinsic evidence.

The extrinsic evidence in the case, or rather the extrinsic facts admitted without proof, are all the one way.

The testator had left the College and University long before the Senate was incorporated or the Council heard of. It was to Trinity College, and its University of Dublin inseparably and indistinguishably blended with it, that he owed his training and his degree.

But in the words of the will itself are to be found indications which leave to my mind no doubt as to what his intention was.

He uses the words University and College as loosely as the Legislature and the Crown use them.

First he bequeaths all the books which he may die possessed of "to the Librarian for the time being of the University of Dublin."

There is no Librarian of the University of Dublin or of the Senate of the University of Dublin. There is a Librarian of Trinity College, Dublin.

Secondly, the testator bequeaths his shares or stock in the Great Indian Peninsula Railway Co., &c., to his trustees for the purpose of paying the same to the Corporation of the University of Dublin, to endow in the said University a Professorship of Penal Legislation, provided that it shall be lawful for the Board[1] of the University to assign any other duties which they may consider proper to be performed by said Professors so as to make the study of Penal Legislation a regular branch of instruction in the Law School of the University. And I empower the said Board to award prizes annually for proficiency in the said branch of legal science, &c.

The word Board has a well-defined meaning in Trinity College. It means the Provost and Senior Fellows.

It was contended by Mr. Twigg, on behalf of the defendants, that the word is synonymous with Council. In my opinion the testator did not mean to designate a body which was not constituted till long after his connexion with Trinity College ceased, and his use of the words "Board of the University" affords a key to what he meant by the Corporation of the University of Dublin.

Thirdly, the testator bequeaths his three Per Cent. Consolidated Bank Annuities to the Corporation of the University of Dublin "to found in Trinity College, Dublin, additional Sizarships or Exhibitions in the nature of Sizarships, not to exceed five in number, open only to students of limited means, natives of the County of Kerry, who, having failed to obtain the ordinary Sizarship of the College, may be deemed to have shown sufficient merit: such Exhibitions to be held on conditions similar in all respects to those upon which ordinary Sizarships are held in the said College, and not to preclude such Exhibitioners from obtaining any other Exhibitions or Prizes to which an ordinary Sizar would be eligible; and the Board of the said University shall determine the annual stipend to be allowed to each such Exhibitioner, or the privileges in lieu of such stipend, in such a way as to place him with respect to exemption from fees, free commons, and free rooms, on a footing similar to that of ordinary Sizars."

What Board? Plainly the Board of the same Body—the same Corporation to which he made the bequest, "and I empower the said Board to apply the residue of such income (if any) in such manner as they may think best calculated to encourage superior education in the said county, as, for instance, by assigning from time to time stipends, to such schoolmasters as may distinguish themselves in preparing students for the said University, such stipends to be given on condition that such master or masters shall undertake to prepare, free of expense, as day scholars, a certain number of boys of limited means for the Sizarship Examinations of the University, or in such other way as to the said Board may seem most effectual and expedient for the promotion of superior education in the said county."

There are no Sizarships in the University; they are in the College. There are no such Examinations as Sizarship Examinations of the University. They are held in and by Trinity College.

In my opinion, treating the question as one of intention, the testator has clearly shown on the face of the will itself that what he meant by the Corporation of the University of Dublin was the Corporation of Trinity College.

I am bound to give effect to that intention unless it is encountered by some rule of law.

I have already shown at, I fear, too great length, that the phrase "Corporation of the University of Dublin" has no such defined meaning as in a case like the present, excluding all inquiry as to particular intention; and I have therefore no hesitation in pronouncing a decree for the plaintiffs.

APPENDIX II.

SIR JOSEPH NAPIER'S EXPLANATION OF THE DISTINCTION BETWEEN TRINITY COLLEGE AND THE UNIVERSITY OF DUBLIN.

It is clear from some expressions[2] in the Master of the Rolls' judgment, reprinted in the preceding Appendix, that the attention of that learned Judge had not been called to the erudite legal dissertation of Sir Joseph Napier on the relation between Trinity College and the University of Dublin.

[1] [In the printed report of the judgment, the word Board is printed in italics.]

[2] See *ante*, page 48, footnote 1.

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A number of passages from this dissertation were quoted by me in the first of the two papers reprinted in this pamphlet.[1] The matter is of sufficient interest to justify the repetition of them here, so that Sir Joseph Napier's view of this branch of the case may be presented throughout in his own words, and consecutively. It will, I think, be generally recognised that his exposition of the phrase *Mater Universitatis* is not only the most satisfactory exposition of the phrase, but the only really satisfactory explanation of it, that has as yet been given.

To keep clear of what I have from the outset designated as a lawyers' question, pure and simple, with which I am not in any way concerned,[2]—the question, namely, whether the University of Dublin, in addition to being a distinct body from Trinity College, is, moreover, a distinct legal Corporation,—I have omitted from Sir Joseph Napier's statement everything put forward by him in support of his view that, from the beginning, the University, as distinct from the College, was a legally "incorporate" body.

Sir Joseph Napier's exposition of the sense in which Trinity College was called, in its first Charter by which it was founded by Queen Elizabeth in 1592, *Mater Universitatis*, is as follows:—

"This Charter [the Charter of 34 Elizabeth, A.D. 1592] consists of two parts—one relating to the College, designed to be (as described therein) 'Mater Universitatis,' for the education, institution, and instruction of youths and students in arts and faculties; the other relating to the University that was to be brought into existence.

"The former provides an eleemosynary foundation for the support and habitation of a Provost, Fellows, and Scholars (whom it names), and their successors, and it constitutes these a body politic and corporate. It gives power to the Provost and majority of the Fellows to make laws for the government of the College. . . .

"The latter part of the Charter confers on the *studiosi* of the College the privilege of obtaining Degrees of Bachelor, Master, and Doctor, 'juxta tempus idoneum' in all the arts and faculties. It gives power to the Provost and major part of the Fellows to prescribe the preliminary acts and scholastic exercises; to appoint 'omnes personas pro hujusmodi rebus melius promovendis,' whether Vice-Chancellor, Proctor, or Proctors; and to elect the Chancellor, except the first, who is named in the Charter as having been appointed by the Queen. . . .

"The designation of 'mater Universitatis' was appropriate, as well because the *studiosi*, who were to be admitted to take Degrees, were to be supplied by the College, as because the prescribing of the preliminaries and conditions of graduation, the appointment of University officers (except the first Chancellor), and the making of regulations for conferring Degrees, were confided to the governing body of the College.

"Although the actual creation of the University was, under the provisions of the Charter of Elizabeth, only affected by the instrumentality of the College, it does not follow that the University is not to be considered as having been founded by the Queen herself. What was done in pursuance of the Charter was done by the Queen's authority, and is deemed in law to have been done by herself. . . . .

"The distinction between the founding of the College and the founding of the University should be clearly understood. There were available means of completing the foundation of the College at once and directly; but the case was different as to the University; for although in legal intendment it was founded by the Charter, it had afterwards to be brought forth by the College as its 'mater.'

"The power given to the Provost and Fellows, with reference to the conferring of Degrees, sufficiently implied a power to make . . regulations . . suitable to the purpose for which the express power was given. These were made, and were entitled 'Consuetudines seu Regulæ Universitatis Dublinensis, pro solenniore graduum collatione.' . . .

"The Charter of King Charles I. is dated A.D. 1637. It is important to bear in mind how matters stood at the time when this Charter was granted.

"The 'Universitas' designed by the Charter of Elizabeth had been constituted by the Provost and Fellows of the College in pursuance of its provisions . .

"A period of gestation (if I might say so) had been required before the University could thus have been brought to the birth. . . . But after the holding of Commencements[3] (which first took place A.D. 1600, 'juxta tempus idoneum,' *i.e.*, seven years after the foundation of the College[4]), the University was brought to the birth, and thenceforth it was distinct from, although dependent on, its 'mater,' the College. . . .

"The Chancellor, who had been described in the Charter of Elizabeth as Chancellor of the College (at a time when the University existed only in intendment and consideration of law), is designated in the Charter of King Charles I. as Chancellor 'Academiæ[5] sive Universitatis prædictæ' . . .

"The University is not the less a distinct body because the College supplies the *studiosi* whom it prepares for their first degree in Arts, and for availing themselves of the teaching of the Professors of the University, to qualify them for the higher degrees. It would be strange, if not absurd, to have designated the College as 'mater Universitatis,' if the University was not to be regarded as distinct from the College;[6] but it may have been truly said [as was said in this Charter of Charles I.] that Queen Elizabeth founded and endowed the College, 'et Academiæ privilegiis ornavit.'"[7]

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[1] See *ante*, pages 33-35.

[2] See *ante*, page 35.

[3] To take the final degree in any University Faculty,—that is to say, the degree of Master of Arts, or that of Doctor of Theology, Medicine, or other Faculty in which the Degree of Doctor is conferred—is spoken of as "commencing" in that Faculty, the graduate being thus certified by his University as qualified to act as Teacher or Doctor.

The public meeting of the University at which those degrees were conferred came then to be called "Commencements."

In the "Formulæ Supplicationum" used at the conferring of Degrees in the University of Dublin, the expression, "ad incipiendum in artibus," "ad incipiendum in theologia," "ad incipiendum in utroque jure," "ad incipiendum in medicina," "ad incipiendum in musica," are used in the case of Masters of Arts, and in that of Doctors in the other Faculties. For the lower Degree of Bachelor, in each instance, the expression used is "ad respondendum quæstioni in artibus," or "in theologia," or "in utroque jure," and so on.

As to all this, see the numerous references under the word Inception in the index to the Rev. Mr. Rashdall's valuable work, *The Universities of Europe in the Middle Ages.*

See also Dr. Reeves' Note on the word "Commencements" in the two volumes of *The Catalogue of Graduates of the University of Dublin*, frequently referred to throughout this pamphlet. In each volume Dr. Reeves' Note will be found immediately prefixed to the Catalogue.

[4] Dr. Stubbs, in his *History of the University of Dublin*, mentions that the first public Commencements were held on Shrove Tuesday, 1600-1.

Degrees, such as that of Bachelor of Arts, below the Degree of Master of Arts, or of Doctor of Theology or of any other Faculty, must, of course, have been conferred before that date.

[5] It can hardly be necessary to point out that "Academia" is a recognised term for a University.

In Letters Patent of 1 George III., A.D. 1761, in which the University of Oxford is described as "celeberrima Academia Oxoniensis," the University of Dublin is described as "Academia illustrissima Dubliniensis."

Again, in the letter from the Holy See to the Bishops of Ireland, dated 9th October, 1847, the establishment of a Catholic University in Ireland is recommended in the following terms:—

"Opportunum Sacra Congregatio fore duceret, si, collatis viribus, Catholicam academiam, ad illius instar quæ per Belgii Antistites in civitate Lovaniensi fundata est, in Hibernia quoque erigendam Episcopi curarent."

[6] See *ante*, pages31-32.

[7] I quote from the reprint of Sir Joseph Napier's Opinion, prefixed to the second volume of the "Catalogue of Graduates of the University of Dublin," published in 1896, and more than once referred to throughout this pamphlet.

APPENDIX III.

THE "STATEMENT OF CLAIM" IN THE CASE BEFORE THE MASTER OF THE ROLLS.

One of the curious statements by which it was sought to lead the public to believe that the Master of the Rolls had judicially decided

> That Trinity College is the University of Dublin in every particular, and that the University of Dublin is Trinity College,

was that "the pleadings" in the suit in which the alleged decision was given, disclose that the Corporation of Trinity College,—that is to say, the Provost, Fellows, and Scholars of Trinity College, in whose favour the case was decided—had claimed the money "*as being the University.*"

I am very unwilling indeed to introduce any new matter at this stage. But in connection with the statement quoted, I may venture to point out that the "Trinity College" which had a place in the suit before the Master of the Rolls, was neither (1) the collection of collegiate buildings known to the public as Trinity College, nor (2) the collection of individuals engaged in the work of education there, comprising the Provost, the Senior and Junior Fellows, the Professors, the Scholars, and the hundreds of other graduates and undergraduates who make up the collegiate body known as Trinity College. It was a very much more restricted body. It was simply the Corporation of Trinity College, which consists of the "Provost, Fellows, and Scholars" of the College, alone.

I need not comment on the wild extravagance of the suggestion that it was decided by the Master of the Rolls that this restricted body "is the University of Dublin,"—or that this restricted body itself ever put forward the ridiculous claim that it was the University —to the exclusion, necessarily, of the Chancellor and Vice-Chancellor of the University, to say nothing of the hundreds and thousands of the graduates of the University who are members of the University Senate.[1]

What I have here to deal with is the altogether unjustifiable statement that this claim was, as a matter of fact, put forward by the Provost, Fellows, and Scholars of the College in a particular document which is definitely named. The statement made is—

> AS THE PLEADINGS DISCLOSE, the plaintiffs [the plaintiffs were "the Provost, Fellows, and Scholars" of Trinity College] claimed the money, *as being the University.*

Now, as I have elsewhere stated,[2] "the pleadings" in the case are simply two documents, an officially certified copy of each of which I have obtained from the Record and Writ Office at the Four Courts.

One of the two was a document put in by the plaintiffs: it is technically designated the "statement of claim." With the other document the plaintiffs had nothing to do: it was put in by the defendants, and is technically designated the Defence.

Only the "statement of claim," then, is in question here.

In reference to the allegation that

> AS THE PLEADINGS DISCLOSE, the plaintiffs claimed the money, *as being the University*—

I made, in my paper in the March number of the *I. E. Record*, the following statement:—

> Trinity College did not, as alleged, claim the bequest on the ground that the College was a University. It has, as we have seen, been publicly stated, not only that this claim was made, but that the claim is disclosed in the pleadings.
>
> The statement is wholly incorrect. No such claim was made. No such claim, therefore, is disclosed in the pleadings. On the contrary, the statement of claim distinguishes clearly between the College and the University throughout.
>
> The claim made by the College, as the 'statement of claim' itself shows, was not that Trinity College is the University of Dublin, or that the Board of Trinity College is the Board of the University. As set out in the pleadings, the claim was, that *there being no such body*, strictly speaking, as 'the Board of the University,' the words 'Board of the University, in the will *must be taken to refer* to the Board of Trinity College—this being *the only body* called or known as 'the Board,' '*either in the College or University.*'[3]

In my paper I contented myself with presenting, in proof of the accuracy of what I thus said, a summary of those paragraphs of the "statement of claim" *in which there was any reference to either the College or the University.*[4]

As I now have the opportunity of doing so, I transcribe the paragraphs *in extenso.*

They are the 4th, which is merely introductory, the 6th, 7th, 10th, 11th, 12th, and 13th paragraphs of the "statement of claim," and are as follows:—

PARAGRAPH 4.

The bequest in the said will contained, of all the Testator's shares or stock in the Great Indian Peninsula Railway Company and in the Bombay, Baroda and Central India Railway Company, is hereinafter for the sake of convenience referred to as the second Bequest; and the bequest of all the Testator's funds in 3 per cent. Consolidated Bank Annuities is hereinafter referred to as the third Bequest.

PARAGRAPH 6.

As to the 2nd Bequest, the Plaintiffs show that *there is no such body, strictly speaking, as the Board of the University.* The Defendants, the Senate *of the University*, have been incorporated by Letters Patent, dated the 24th July, 1857, under the Title of the Chancellor, Doctors, and Masters *of the University* of Dublin, and, as such Corporation, are by the said Letters Patent empowered to hold and acquire such property, real and personal, as may be given or bequeathed to them: up to the present the said Defendants have not acquired nor do they now hold any property.

PARAGRAPH 7.

As to the 3rd Bequest, the Plaintiffs show that *Trinity College, Dublin, is the only College in the University*, and is incorporated by the Letters Patent or Charter of the 34th year of Queen Elizabeth, which was confirmed by the Letters Patent or Charter of the 13th Charles I., under the name of the Provost, Fellows, and Scholars *of the College* of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, who are the Plaintiffs in this action. The Provost and Senior Fellows *of the said College* are by the said Charter and the said Statutes *of the College*, constituted the Governing Body *of the College*, and are known as the Board of *Trinity College, Dublin.* There is no other Body called or known as the Board *either in the College or University.*

PARAGRAPH 10.

The Testator, who was born in the County of Kerry, was educated in Trinity College, Dublin, where he took the Degree of Master of Arts, and was afterwards called to the Irish Bar. He went to Bombay in the year 1853, after which period he never returned to Ireland.

PARAGRAPH 11.

All the endowments, estates, and property by which *the University of Dublin* is sustained, including all endowments for special purposes, are *vested in the Plaintiffs and managed by the Board of Trinity College.*

The appointment and election of the Professors *in the University* was also vested in the said Board, up to the time when the Council was constituted by the Letters Patent of the 4th day of November, 1874. By these Letters Patent the nomination to all Professorships, with certain specified exceptions, is now vested

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[1] The Senate, as we have seen (see page 35), is a corporation. It is incorporated under the name, style, and title, of *The Chancellor, Doctors, and Masters of the University of Dublin.*

[2] See page 39, *footnote* 1.

[3] See *ante*, pages 40, 41.

[4] See *ante*, page 41.

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in the Council, subject to the approval of the Board[1] and since the constitution of the said Council any proposed alterations in the rules and regulations respecting any studies, lectures, or examinations (not connected with the Divinity School) and also any proposed alterations in the rules and regulations respecting the qualifications, duties and tenure of office of any Professor (not connected with the Divinity School), require the approval both of the Board and of the Council. No new Professorship can now be created or founded by the Board without the sanction of the Council.

PARAGRAPH 12.

The Council consists of the Provost, or, in his absence, the Vice-Provost *of Trinity College*, and sixteen other members elected out of the members of the Senate *of the University*, as provided by the said last-mentioned Letters Patent.[2]

PARAGRAPH 13.

The Board *of Trinity College* elect to all the existing Sizarships after the usual examination of candidates.

Thus it may be seen that there is not, from beginning to end of "the pleadings," a vestige of foundation for the statement which has been formally and publicly made, namely, that "THE PLEADINGS DISCLOSE" that the plaintiffs,—the Provost, Fellows, and Scholars of Trinity College,—claimed the money, "*as being the University.*"

I must confess that I am altogether at a loss to understand why it is that, in view of my exposure of the groundlessness of that statement, it has not, long before this, been publicly and unequivocally withdrawn.

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[1] It was not, of course, in any way necessary for the purposes of the suit before the Court to go further into the exposition of this matter in the "statement of claim." But it may be of general interest to state here, by quotation from the Letters Patent, the precise extent to which the appointment of Professors was taken out of the hands of the Board of Trinity College in 1874.

The Letters Patent provides as follows:—

'It is our further will and pleasure that *the Council* shall nominate to all Professorships [with, as the "statement of claim" puts it, certain specified exceptions].

'Such nomination shall be subject to the approval of the Provost and Senior Fellows [that is to say, of the Board of Trinity College].

'In the event of the said Provost and Fellows refusing their approval, *the Chancellor* [of our said University of Dublin] *shall decide* whether the grounds for such refusal are sufficient.

'If they shall appear to him insufficient, *he shall declare the person nominated by the Council to be duly elected.* If not, the Council shall proceed to a new election.'

[2] The provision in the Letters Patent is that, of the 16 members to be elected to the Council—

Four are 'to be elected by the Senior Fellows *of our said College*, out of the Members of the Senate *of our said University*';

Four are 'to be elected out of *the said Senate*, by the Junior Fellows';

Four are 'to be elected out of *the said Senate*, by the Professors who are not Fellows'; and

Four are 'to be elected out of *the said Senate*, by those *Members of the said Senate* who have not voted, nor been entitled to vote, at the last election of any existing Member or Members of the same Council, either as Senior Fellows, Junior Fellows, or Professors.'

VII.

Pamphlet put in by G. Johnstone Stoney, Esq., M.A., D.Sc., F.R.S., formerly Professor and afterwards Secretary of the Queen's University in Ireland.

The IRISH UNIVERSITY QUESTION.—A STATEMENT by the ANNUAL COMMITTEE of the CONVOCATION of the QUEEN'S UNIVERSITY in IRELAND, drawn up by direction of CONVOCATION.

[THE following Statement was drafted and in type previous to the introduction of the University Education (Ireland) Bill. The Committee consider that neither the Bill nor Mr. Gladstone's speech introducing it renders the publication of their Statement unnecessary.

A brief note as to some of the more important provisions of the Bill will be found in a postscript at page 63.]

STATEMENT.

THE Queen's University in Ireland was founded and incorporated by Royal Charter dated the 3rd day of September, 1850. It was established for the purpose of conferring degrees in Arts, Medicine, and Law on the students of the three Queen's Colleges of Belfast, Cork, and Galway, which had been opened in the latter part of the year 1849.

The object of Parliament in the foundation of the Colleges and the University was to advance learning amongst all classes of Her Majesty's subjects in Ireland upon equal terms, and incidentally to promote peace and friendship amongst them.

When the University had been in operation for fourteen years, and the Graduates had increased in numbers, an application was made by them to Her Majesty's Government for some changes in the Charter of the University, and the result was, that the present charter of the University was granted, which bears date the 8th day of October, 1864. By it the Convocation of the University was established, consisting of the Senate, Secretary, Professors, and Registered Graduates of two years' standing. One of the rights conferred by the Charter upon Convocation was, "the power of discussing any matter whatsoever relating to the University, and of declaring the opinion of Convocation on any such matters." The first meeting of Convocation was held on the 12th October, 1866, and there have been several meetings since, at the last of which, held on the 11th October, 1872, the following resolution was passed:—

"That it be an instruction to the Annual Committee to take such steps as they may think best for collecting and arranging statistics and facts bearing on the Irish University Education Question, and putting the subject in a proper form before Parliament."

The Annual Committee of Convocation have accordingly adopted the following statement, and have collected and printed in the Appendix several documents which appear to them to have an important bearing on the question of Irish University Education.

Action of the Graduates of the Queen's University on this Question.

[1865] Statement adopted by Graduates in 1865.

On the 6th day of December, 1865, and while the subject of certain then intended modifications of the system of university education in Ireland, which resulted in what is known as "the Supplemental Charter" was being discussed, a meeting of the Graduates of the University was held in Belfast, at which a statement was adopted expressing the opinion of the Graduates on the anticipated changes which were then undefined, but were regarded with apprehension by many.

Printed in Parliamentary paper 84, of the year 1866.

That statement was sent forward to Her Majesty's Government, and was subsequently printed with other documents relating to National and University Education in Ireland in Parliamentary Paper No. 84 of the year 1866, and as it may therefore be considered as a public document, and as the facts and arguments therein put forward will bear repetition, the Committee of Convocation, instead of repeating its contents in detail, have, for the sake of convenience, reprinted it in the Appendix hereto.*

Reprinted in Appendix, page 63.

Contents of the Statement.

The main subjects dealt with in that statement are as follows:—A sketch of public education in Ireland from the year 1791 to the publication of the statement showing the opinions of the various Committees that were appointed to examine the educational wants of the country; the action taken by the Legislature in consequence of the expression of those opinions; the history of the foundation of the Queen's Colleges, and the opinions of the leading statesmen of the period, including Sir James Graham, Sir Thomas Wyse, the late Sir Robert Peel, Lord Palmerston and Mr. Sheil. It shows the success that had attended National Education both in the school and university up to that time, and that there were not any valid reasons for changing the policy previously adopted by the Legislature, by introducing sectarianism into the National University system of Ireland. The Committee of Convocation fully adopting this statement, beg to refer to it as a paper which will repay a careful perusal.

Adopted by the Committee

Grant of the Supplemental Charter in 1866.

After the date of the publication of the statement referred to, and apparently as the result of certain negotiations that were at the time pending between Sir George Grey, on the part of Her Majesty's Government, and the Irish Roman Catholic Prelates, the Supplemental Charter was granted to the Queen's University in Ireland on the 25th day of June, 1866, and six new members were appointed on the Senate by a Patent dated the 27th day of June, 1866. This Supplemental Charter was accepted by the Senate by a majority of two (the majority including all the newly-appointed members), but it was strongly opposed by an influential minority of the Senate, and at the first meeting of the Convocation of the University held a few days subsequently, and largely attended by Graduates from all parts of Ireland, a resolution hostile to the Charter was adopted without a division. The Senate nevertheless persisted in acting on the Charter, and thereupon proceedings were successfully taken in the Court of Chancery in Ireland by some of the Graduates. The practical result of these proceedings was to nullify the Supplemental Charter.

Six new members of Senate appointed at the same time.

Supplemental Charter accepted Senate by a majority of *two*.

Condemned by Convocation.

If this experiment had been successful the character of the Queen's University in Ireland would have been essentially changed. It had been founded for the purpose of giving degrees to the students who had pursued regular courses of study in Colleges open to the youth of Ireland, without religious distinction; but under this Charter the Senate would have been enabled to affiliate with the National University system of the country Denominational Colleges, and also, at their discretion, to grant degrees on mere examination, without any collegiate training.

Senate restrained by injunction of Court of Chancery.

Changes which Supplemental Charter would have made in the University.

Action of the Roman Catholic Prelates of Ireland.

How the question has been raised.

In any discussion of the subject of Irish education it become necessary to recognise and deal with the fact that the objections raised by the Roman Catholic Prelates of Ireland to the existing system of University Education to a great degree created the Question now to be submitted to the Legislature, and it is therefore necessary to show the position assumed by them from time to time in their communications with the Government, in relation to their alleged grievances.

Letter of Cardinal Cullen to the Home Secretary. Parl. paper

On the 14th January, 1866, Cardinal Cullen wrote to the Home Secretary, forwarding two letters or memorials on Primary and University Education, on the part of the 29 Archbishops and Bishops in Ireland,

* See page 63.

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84, of year 1866.

whose names were attached. The Committee consider this letter of so much importance on account of the number and weight of the signatories, that although it is printed in the Parliamentary paper above referred to, they have reprinted it fully in the Appendix (see page 69).

Endowment their object.

The arguments of the Prelates in that letter appear to be principally based upon the injustice to Roman Catholics of their University not having a distinct endowment, and they appear to attach little, if any, weight to an allegation now sometimes put forward in very high quarters, that certain classes of Irishmen are subject to a civil disability on account of their not being able to obtain an Irish University degree, if trained in a Denominational College. After referring to the injustice and inequality involved in leaving Trinity College, with its immense wealth and influence in Protestant hands and for Protestant Education, and in leaving the Queen's Colleges as they are, largely subsidized by the State for State Education, while at the same time Catholics who are taxed for the support of the Queen's Colleges have further to tax themselves for the support of the Catholic University, the Prelates make the following statement, which coming from the source it does, is most important:—

"Without an endowment, the proposal of the Government would confer but little, if any, substantial benefit upon our Catholic University; for degrees can be obtained through the London University, and property can be acquired and transmitted without a Charter by availing of certain legal expedients. Without rearranging the Queen's Colleges on the principles of the denominational system, so as to meet the conscientious objections of Catholics, much of the evils and injustice of which Catholics complain will remain unredressed. These Colleges will continue to be, what they are, a failure as regards the purpose for which they were originally intended—the Education principally, though not exclusively, of Catholics—and a failure costing the public £24,000 per annum. They will continue to hold out their scholarships, prizes, &c., as so many bribes to Catholic young men to induce them to become disobedient children of their own Church; and they will continue to be a standing cause of disunion between the Catholic Bishops of Ireland and the Government of the country, which policy, not to speak of any other consideration, would put an end to. With our Catholic University unendowed, and with other university arrangements still hostile to us, the proposal of the Government could not, we respectfully repeat, be regarded as satisfactory to the Catholics of Ireland."—(*Parliamentary paper* 84, *of the year* 1866.)

Reply of Home Secretary. Parl. p. 84, of year 1866.

In the reply to this memorial, addressed to Cardinal Cullen, on the 30th January, 1866, by Sir George Grey, there is contained the following passage:—

"With regard to the general question of University Education, whatever difference of opinion may exist as to the system of education in the Queen's Colleges, and the results which have attended their foundation, there can be no doubt that those Colleges were established, and the Queen's University was subsequently founded, with the sincere desire, and the real object on the part of the Government, of affording to all classes in Ireland higher or University education on equal terms.

"Her Majesty's Government are still of opinion that the principle upon which those Colleges were founded, namely, that of offering such an education in common to the Protestant and Roman Catholic youth of Ireland, is a sound one, and they are unable to concur in the belief expressed in the memorial, that these Colleges have been a signal failure.

Queen's Colleges not a failure.

"They have, therefore, no intention of proposing any alteration in the principle on which those Colleges are conducted."—(*Parl. paper* 84, *of the year* 1866.)

Sir George Grey further stated that Her Majesty's Government "freely admit the fact that a large number of persons in Ireland entertain a conscientious objection to the principle on which the Colleges were established, and to the mixed system of education adopted in them, neither are they insensible to the disadvantages to which such persons are exposed if they aspire to a liberal profession, by their inability to obtain a degree from any University in Ireland unless they connect themselves with Trinity College, Dublin, or with one or other of the Queen's Colleges," and for the purpose of relieving such persons from these disadvantages, and to place them on an equal footing with their fellow-subjects in Ireland, he proposed the revision of the Charter of the Queen's University.

Revision of Queen's University Charter proposed.

From the reply of Cardinal Cullen, dated the 11th February, 1866, it is clear that the Irish Prelates were by no means satisfied with the proposed measure. His Eminence says:—

Dissatisfaction of the Prelates. Letter of Cardinal Cullen. Parl. p. 84 of 1866.

"Having communicated your reply to those Prelates, I regret to say that they are all of opinion that the promises held out to them in that document are far from corresponding to the hope which they had entertained that the present Government, so liberal and enlightened, would have taken some effective step to place them and their flock on a footing of equality with their fellow subjects of other religious denominations in regard to education."—(*Parl. paper* 84, *of the year* 1866.)

Public subscription to defeat the Supplemental Charter.

The result of the foregoing correspondence was the granting of the Supplemental Charter already mentioned. The costs of the Chancery proceedings, which successfully resulted in the defeat of the Supplemental Charter, amounted to more than £1,200, and were paid out of a fund amounting to nearly £3,000 raised for the purposes of the suit by public subscription.

In 1867 the negotiations opened with Lord Mayo. Parl. p. 288, of year 1868.

In the end of the year 1867, after the failure of the Supplemental Charter scheme, Archbishop Leahy and Bishop Derry were deputed by the Irish Catholic Archbishops and Bishops, as appears from a letter addressed by them to the late Earl of Derby, a copy of which, on the 23rd October, 1867, was enclosed to Lord Mayo, "to enter into communication with Her Majesty's Government, and to apply, in their name, for a Charter and endowment of the Catholic University, as well as for such ulterior concessions as shall place the Catholics of Ireland on a footing of perfect equality with their fellow subjects of other denominations, as regards Academical Education."

Letter of Prelates to Lord Mayo, 31st March, 1868. Parl. p. 288, of 1868.

After certain negotiations between Lord Mayo, on behalf of Her Majesty's Government and the two Prelates, a letter, dated the 31st March, 1868, was written by them to Lord Mayo, after a lengthened interview with Lord Malmesbury and Lord Mayo at the Irish Office, at which they agreed to put their opinions in writing. This letter is printed in the Appendix at page 72, and the Committee beg to refer to it as showing the nature of the claims put forward on the part of the Prelates.

Lord Mayo's reply. Parl. p. 288, of 1868.

On the 11th May, 1868, Lord Mayo, who, in the course of the communications, had admitted on the part of the Government, that a just claim existed for the creation of a University of a Denominational character, which should, as far as circumstances would admit, stand in the same position to Roman Catholics that Trinity College did to Protestants, wrote to Archbishop Leahy to inform him that the recommendations contained in the letter of the Prelates could not be entertained.

This letter will be found in the Appendix at page 75.

Prelates letter to Lord Mayo, 16th June, 1868. Parl. p. 380, of 1868.

It does not distinctly appear how far the propositions made by the Prelates, as put forward by them on the 31st March, 1868, might have been modified, as in a subsequent letter from Archbishop Leahy to Lord Mayo, dated the 16th June, 1868, (printed in the Appendix at page 76), it is stated that the Prelates did not regard their communication as final; but it was so regarded by Lord Mayo, as appears by his letter to Archbishop Leahy, dated the 30th June, 1868, in which, amongst other things, with reference to the negotiations that had taken place, he states:—

Lord Mayo's reply. Parl. p. 380, of 1868.

"The questions as to which differences arose involved matters of the highest principle. Speaking on behalf of the Roman Catholic Prelates of Ireland, you laid down in the clearest manner the maxims on the subject of University Education, which you considered necessary for the safety of the faith and morals of the youth of the country."

Negotiations broken off.

Under the circumstances referred to in his letter, which will be found in the Appendix at page 76, Lord Mayo informed the Archbishop that it was not the intention of Her Majesty's Government to take any further steps in the matter.

Difficulty of dealing with the question.

Bearing in mind that Lord Mayo, in the course of the negotiations, was prepared to concede the principle of a Denominational University, though in a very guarded form, it is not easy to see how negotiations

are to be conducted by those who are not prepared to admit that principle in such a way as to permanently satisfy the party in Ireland who have declared in favour of Denominationalism.

The policy of having National Education in Ireland endowed on a Denominational basis, so clearly indicated in the foregoing correspondence, has been persistently maintained. A meeting of the Irish Roman Catholic Prelates was held at the College of St. Patrick, Maynooth, on the 18th of August, 1869, under the presidency of Cardinal Cullen, when a series of resolutions was unanimously adopted, which are printed fully in the Appendix (see page 77). Another meeting of the Roman Catholic Prelates was held in the Presbytery, Marlborough-street, Dublin, on the 17th October, 1871, under the presidency of Cardinal Cullen, when a further series of resolutions, embodying their determination to entirely oppose what they describe as "Godless" Education, was adopted. These resolutions will be found in the Appendix at page 78.

Resolutions of Prelates, at Maynooth, in 1869.

Resolutions of Prelates in 1871.

The Committee of Convocation consider that the series of resolutions referred to conclusively prove that the essence of the claim insisted on by the Roman Catholic Prelates is endowment for Denominational University Education in Ireland, and either a reconstruction of the present arrangements on Denominational principles, or the means of destroying by "instalments" the system of united University Education in Ireland.

Endowment their object.

The Committee have no wish to express anything else than respect for the earnestness and consistency displayed by the present Prelates of the Roman Catholic Church in their opposition to the Queen's University and Colleges. They are indeed aware that many of the predecessors of the present Prelates entertained very different opinions. For example, the late Most Rev. Archbishop Croly, Roman Catholic Primate of Ireland, who at first considered the Queen's College system dangerous to the faith and morals of the youth of Ireland, and who in consequence summoned a meeting of the Irish Roman Catholic Prelates, on the 21st May, 1845, was subsequently satisfied with the amendments made in the Queen's Colleges Bill while passing through the House of Commons. This appears from the following extract from a speech delivered by him in August, 1845:—

Opinions of former Prelates.

Archbishop Croly, R.C. Primate.

"When the Bill for establishing the Provincial Colleges first made its appearance, I entertained serious apprehensions, respecting the morality of the students, who appeared to be left without any moral superintendence—subject to their own inclinations and propensities, at a period of life the most critical when the passions are most violent and dangerous. Under that impression I called a meeting of the Catholic Prelates, who were willing and ready to co-operate on fair and reasonable terms with the Government. We discussed the provisions of the Bill; and, after mature deliberation, we went to the Lord Lieutenant, and represented our objections and the amendments we deemed advisable. The Lord Lieutenant received the memorial, and forwarded the state of the case to the Government, who made such amendments as were calculated to afford general satisfaction. By the Bill, as it stands at present, no pupil could be received into any of the new Colleges, unless he would lodge with his parents, a relative, a guardian, or in a house fully licensed by the President of the College, for the very purpose of protecting his morality. Besides, the Bill gives full power to have chaplains of every religious persuasion, duly appointed for the purpose of superintending the moral conduct of the students, and giving them proper moral instruction at such hours as will not interfere with their scientific studies. This being the most important point in the measure, and one to which most objections were urged at the outset, I am determined, as far as I am concerned, to give our Provincial Colleges a fair trial."

Letter of Archbishop Murray.

On the same point the Committee refer to a letter printed in the Appendix at page 78 from the late Archbishop Murray, a venerated member of the Irish Roman Catholic Hierarchy, which of itself ought to be sufficient to moderate the violence of language not unfrequently indulged in with respect to the Queen's Colleges; and as a proof of the regret with which, by many of the clergy and laity of the Roman Catholic Church, the action of the majority of the Irish Roman Catholic Prelates at the Synod of Thurles, supported by the Pontifical authority, was regarded, the Committee refer to a published correspondence which took place between Mr. Corballis and the Most Rev. Archbishop Murray, which will be found in the Appendix at page 79.

Correspondence of Mr. Corballis with Archbishop Murray.

But notwithstanding the arguments that might be founded on the foregoing expressions of opinion of former Prelates, the Committee are ready to admit that the interests of Catholicism now intrusted to the charge of the existing Roman Catholic Episcopate, must be judged of and determined on by them on their own sense of their duty. But no respect which they may entertain for the action of the existing Prelates, can allow the Committee to forget that the claim made by the Bishops, and those who may sympathize with them, whether Catholics or Protestants, amounts to nothing less than this, that the authority of the Church must be supreme in not only the private but the public education of all classes of the people. With this claim, by whomsoever preferred and howsoever disguised, the Committee take issue; and they maintain that in all public National Education, whether in the school, or the university, the authority of the State should be supreme, and that in the exercise of that authority, it is the first duty of the State to take care that every educational advantage paid for and provided by the State, should be secured to every subject of Her Majesty without religious distinction.

Claim of Prelates that the Church shall control all Education.

Committee think the State should control all NATIONAL Education.

Several proposed solutions of the question considered.

By some who concur with the Committee in this opinion, it has been thought that the educational problem in Ireland can be satisfactorily solved by the creation of an institution *designated* a university, which will confer degrees upon mere examination, and give prizes for superior answering. But this solution is only satisfactory on the theory that National University Education ought not to mean the highest, and in fact the only proper kind of University Education, that is to say, training the young under the most gifted minds in the community, and testing such training by an efficient system of examination, but that it is to be narrowed to a mere testing of knowledge at a particular time or times, no matter how or where such knowledge is obtained, and utterly irrespective of any necessary contact of the student with men of trained and superior mind. Such a theory of University Education has been all but unanimously condemned in Ireland by every party whose opinion is entitled to consideration. The party who seek a Charter and endowment for the Catholic University, have protested against it in the strongest terms. In proof of this the Committee refer to the letter of the Most Rev. Archbishop Leahy and Bishop Derry to Lord Mayo, dated the 31st March, 1868 (printed in the Appendix, page 72), in which referring to the Roman Catholic University proposed by them, they say:—

The Examining Board System.

Objections to it.

In Ireland it is condemned by the Catholic University party.

"The new University, we are decidedly of opinion, ought to be not simply a university for holding examinations and conferring degrees, but ought furthermore to be a teaching university, having its own full staff of professors, men of the highest mark in every department of letters and science, who should deliver courses of university lectures, open to the students of the several Colleges affiliated to the university."

Appendix page 72.

Other persons of influence acting in the same interest have expressed similar opinions.

The Convocation of the Queen's University has again and again condemned this theory; and although Dublin University has for a long time conferred its degrees in many cases as the result of examinations only, one of the greatest authorities connected with that University has declared that he would "earnestly press, as one of the most urgent of all Academic reforms, the importance of some provisions by which residence should be more directly encouraged if it cannot be enforced."* And in Trinity College there is a common consent that the practice of permitting a part of the undergraduate students to substitute pass examinations for attendance on the courses of instruction delivered in the College, has always been felt to be an evil.†

By the Convocation of Queen's University.

By the Provost of Trinity College, Dublin.

* Suggestions of the Rev. H. Lloyd, D.D., the present Provost of Trinity College, Dublin.—*Report of the Dublin University Commission*, 1853, p. 303.

† See STUDIUM GENERALE, by Thomas Andrews, M.D., F.R.S., Vice-President of the Queen's College, Belfast, (Longmans, &c., 1867), page 4, where there is a masterly discussion of this subject.

DOCUMENTS, VII.

Scheme for affiliating Denominational Colleges.

By others who give a general adherence to the opinion of the Committee of Convocation, both as to the duty of the State to insist that every educational advantage paid for and provided by the State should be available to all equally, and also as to the essential need of collegiate training in any proper system of National University Education, it has been thought that the educational problem in Ireland may be satisfactorily solved by affiliating to a single Irish University, or to one of the existing Irish Universities, Colleges furnished with a sufficient educational staff, no matter how denominational and exclusive in their teaching their governing bodies may think fit to make them. But to put out of account altogether difficulties that in practice would be found to be insurmountable, and eventually destructive of the system, it seems to the Committee that the affiliation of denominational colleges must *necessarily* result in the endowment of those colleges. For in the theory here adopted, *teaching* as well as *testing* is an essential part of National University Education, and it could never be successfully maintained that the professors or teachers in Denominational Colleges doing work satisfactorily tested by public examinations, and they, too, members of possibly the less wealthy but most numerous class of the community, should be refused an endowment, while others, doing similar work, were endowed.

Endowment of Denominationalism the necessary result.

No departure from principle of United Education should be permitted.

The Committee believe that the more this subject is fairly considered, the more manifest it will appear that if any departure is made from the plain principle that all educational advantages or privileges provided by the nation, whether in the school, in the college, or in the university, should be equally and always available for every subject of Her Majesty, without religious distinction, difficulties will arise on every hand which no statesman or administrators will be able to overcome.

Opposition to the Claims of the Roman Catholic Hierarchy.

The foregoing arguments would lose none of their weight if the Irish people were all but unanimous in favour of Denominational Education; but no greater mistake could be made than to suppose that this is the case. The Committee do not profess to give in this paper the opinion of the Roman Catholic laity—that will be represented from other quarters—but it is sufficient for the Committee to say that there is a minority of that faith quiet, yet influential, who both in sympathy and in act stand apart from the extreme course adopted by their prelates. It is easy to ask why they do not declare their opinions publicly. The Committee do not pursue this subject further than to state, that influences both material, social, political, and religious, of a most potent character, are for the present opposed to their doing so.

Roman Catholic minority

Omitting any further notice of Roman Catholic opinion, the Committee direct attention to some other important bodies in Ireland, who have given expression to their feelings upon this subject in a contrary sense.

Trinity College, Dublin.

Trinity College has long been in Ireland a great centre of cultivated and influential opinion; but attached as it was to the formerly Established Church of Ireland by many intimate bonds, it was only to be expected that its chief interests would be bound up with the religion which it was founded to promote. Still a large admixture of real liberal opinion always pervaded the intellectual life of Trinity College; and it must be said, to its honour, that in liberality of arrangement it was of all similar institutions perhaps the foremost. But up to the passing of the Irish Church Act in 1869, Trinity College, and those who adhered to its traditions, could not but be regarded as a powerful influence in favour of Denominational Education. When the Establishment fell a change came, and Mr. Fawcett's Bill, supported as it was by both members for the University of Dublin, if not satisfactory, is at all events the strongest evidence on which side Trinity College and its influences now range. Even before the disestablishment of the Church of Ireland, in the year 1866, a very important declaration in favour of United Secular Education, commonly known as the "Provost's House Declaration," issued from Trinity College. This Declaration was in the following words:—

Provost's House declaration.

DECLARATION.

"We, the undersigned members of the United Church of England and Ireland, desire to express our earnest hope that the principle of United Secular Education, as opposed to the Denominational System, may be maintained in Ireland.

"Without pledging ourselves to an approval of the National System in all respects, we entirely admit the justice and policy of the rule which protects scholars from interference with their religious principles, and thus enables the members of different denominations to receive together, in harmony and peace, the benefits of a good education."

The Declaration was signed by 2,754 members of the Church of Ireland. The following is an analysis of the signatures:—

The Lord Primate of Ireland,	1
The Lord Justice of Appeal,	1
Noblemen,	45
Bishops,	5
Deputy Lieutenants,	146
Justices of the Peace (not D.Ls.),	636
Clergymen,	733
Barristers, Physicians, and other Professional men; Country Gentlemen, not being J.Ps., and Merchants (about),	800
Miscellaneous Signatures (about),	387
Total,	2,754

The Committee regard the DECLARATION as a most important expression of enlightened opinion on the question of Education in Ireland, especially as nearly, if not all, of those who signed it must have themselves received a liberal education.

Convocation of the Queen's University

The action of the Convocation of the Queen's University has never been concealed, and its proceedings have, perhaps, attracted more notice than the majority of its members would desire. But it cannot be denied that Convocation has given expression to the opinions of a large and influential body of educated men, and that round it cluster the sympathies of an increasing number of intelligent Irishmen of all creeds outside the limits of the Queen's University.

The Committee have therefore printed in the Appendix (see page 79), an account of the action taken by the Convocation of the Queen's University in this matter, from which it will be seen that Convocation has been consistent throughout in firmly advocating the establishment and extension of the system of United Education in Ireland, and the continuance of the academical or collegiate element as being necessary to any University system worthy of the name.

Episcopal Church of Ireland.

In the Episcopal Church of Ireland opinion has been, and still is, more or less divided on the question, whether Primary Education should be Denominational or Non-Sectarian. The Committee refer with pleasure to resolutions on this subject passed at the synods of Armagh, Clogher, and Cork, held under the presidency of the Lord Primate of Ireland and the Bishop of Cork, which will be found in the Appendix at page 80; and the action of these leading members of that Church, and the support which they have received, may be fairly taken as an indication of the way in which the public opinion of that important communion in Ireland is tending.

But with respect to University Education in Ireland the action of Trinity College, already referred to, and the support that action has received from those known to represent the wishes of the members of the Episcopal Church of Ireland, are sufficient evidence that the members of the Episcopal Church of Ireland are now in favour of united University Education.

General Assembly of the Presbyterian Church

The General Assembly of the Presbyterian Church in Ireland have, since the Queen's Colleges and University were founded, given them a generous and continuing support. They have founded and erected the General Assembly's College, Belfast, for the education of Theological students, in the immediate neighbourhood of the Queen's College there, and they accept, as evidence of the proper Arts education required prior to entering on the Theological course, the Degree in Arts of the Queen's University.

Resolutions of Feb., 1866.

On the 8th day of February, 1866, and while the negotiations which resulted in the granting of the Supplemental Charter were in progress, and when it was feared that changes antagonistic to the principles on which the Colleges and University were founded, would be adopted, at a meeting of the General Assembly, specially convened, resolutions were passed relating to the Education question, in which the Assembly

express their approval of the Queen's Colleges and University, as having produced great advantages to the country, rejoice in the large measure of success which has attended them, and deprecate the evils that must arise from changes by which the character of the University and the constitution of the Senate would be altered and the Denominational element introduced. These resolutions also appear in the Appendix at page 80.

Subsequent action.

The action of the General Assembly since that meeting has been consistent with the resolutions then passed. It will be best understood by referring to an important letter, dated the 28th January, 1873, printed in the Appendix at page 81, which, in reply to an inquiry on the subject, was written to the Clerk of Convocation by the Rev. Robert Park, A.M., First Clerk of the General Assembly.*

Resolutions of Presbyteries.

Subsequently to the meeting of the Roman Catholic Hierarchy on the 17th October, 1871, resolutions opposed to the principles advocated by them were passed by the Presbyteries of Dublin, Belfast, Ballymena, Derry, and others. The Committee think it sufficient to print the resolutions of the four Presbyteries named, which will be found in the Appendix at page 82.

Methodist Church.

The Methodist Church of Ireland has in the most unqualified manner expressed its approval of the Queen's University and Colleges. In expectation of the existing Queen's College system being maintained in its integrity the Methodist Church has at great expense erected a college in the immediate vicinity of the Queen's College, Belfast, for the theological education of their clergy, and also to serve as a hall for the residence of the students of their community attending the undergraduate courses of the Queen's College, Belfast.

College in Belfast.

Memorial to Government in 1865.

In the year 1865 a memorial was addressed by the Methodist Church to Her Majesty's Government in which they advocate the continuance of the system of the Queen's Colleges and University. This memorial is reprinted in the Appendix at page 83. Since that period the Methodist Church has not changed its action, for it will be seen by a reference to the Appendix, page 83, that a series of resolutions was passed by the Educational Committee of the Methodist Church in Ireland, on the 22nd day of November, 1871, in which the Educational Committee of that body deprecates any change in the existing system of the Queen's Colleges or University.

Resolutions of the year 1871.

Association of Irish Non-subscribing Presbyterians.

We also publish in the Appendix, at page 84, a statement of the action of the Association of Irish Non-Subscribing Presbyterians, a body which has always been in the front rank in the defence of the principle of united education, in all its branches; and at page 84 of the Appendix will be found a series of resolutions passed by the Independent Church in Ireland advocating the maintenance of the same principle.

Independent Church.

National Education League.

The Committee have also printed in the Appendix (see page 85, the resolutions passed at a meeting of the National Education League for Ireland, held at Belfast on the 8th day of December, 1871, and at a recent meeting of the Council of that Association, held on the 29th January, 1873, on both of which occasions all the more important Protestant Churches were represented.

Peel Prizes.

At a meeting of the Queen's University held in 1861, Sir Robert Peel offered a benefaction of £1,200 to the University to increase the value of the small rewards offered by the Queen's Colleges, at least in the case of a few of the most deserving students; and when announcing this gift he suggested that others should co-operate with him in thus endeavouring to promote United Education. The invitation met with so ready a response throughout Ireland, as to constitute it a valuable demonstration in favour of the principles embodied in the University, all the more valuable because of the early date at which it took place. A list of the subscribers will be found in the Appendix, p. 87.

Progress of the Queen's Colleges and University.

Royal Commissioners' Report of 1857-8.

As is shown in the Graduates' Statement in the Appendix, the Royal Commissioners who examined into and reported on the progress of the Colleges in the year 1857-58, reported that the Colleges could not be regarded as otherwise than successful, when notwithstanding the opposing causes alluded to in their Report, they had in their halls, attending lectures, nearly 450 students. The several causes alluded to by the Commissioners, amongst the most important of which is the lamentable deficiency of the means of intermediate education in almost every part of Ireland, still continue to operate; and yet the number of students has risen from 445 in the year of the Commissioners' Inquiry, to 745 in the session of 1871-72, and during some years in the intermediate period has been considerably higher. The Committee think it will be instructive to publish a list of the numbers attending the three Colleges in each year since their opening.

DOCUMENTS, No. VII.

Increase of the number of Students.

NUMBER of STUDENTS attending the QUEEN'S COLLEGES each year since their opening.

Session.	Number of Students.
1849-1850,	375
1850-1851,	395
1851-1852,	407
1852-1853,	359
1853-1854,	379
1854-1855,	410
1855-1856,	438
1856-1857,	454
1857-1858,	445
1858-1859,	490
1859-1860,	546
1860-1861,	657
1861-1862,	758
1862-1863,	787
1863-1864,	810
1864-1865,	837
1865-1866,	788
1866-1867,	732
1867-1868,	762
1868-1869,	755
1869-1870,	737
1870-1871,	753
1871-1872,	745

Religious Denominations of the Students for the last thirteen years.

The Committee also print the following table for the purpose of showing the number of students of the chief religious denominations, who have been in attendance at the Queen's Colleges during the last thirteen years, being the period since the Report of the Queen's Colleges Commissioners was published.

NUMBER and RELIGIOUS DENOMINATIONS of the STUDENTS attending the COLLEGES of the QUEEN'S UNIVERSITY during the following Sessions—thirteen years.

—	Church of Ireland.	Roman Catholics	General Assembly, Presbyterians.	Other Denominations.	Total
1859-1860,	143	169	175	59	546
1860-1861,	181	202	212	62	657
1861-1862,	210	206	247	95	758
1862-1863,	212	214	277	84	787
1863-1864,	210	237	260	103	810
1864-1865,	221	229	273	114	837
1865-1866,	198	195	277	118	788
1866-1867,	195	179	255	103	732
1867-1868,	210	181	274	97	762
1868-1869,	224	174	263	94	755
1869-1870,	232	178	241	86	737
1870-1871,	252	162	261	78	753
1871-1872,	243	200	234	68	745

Students attending in the Faculty of Arts.

Attention has been on some recent occasions, with a view of injuring the University and Colleges, directed to the number of students attending in the Faculty of Arts. The education in Arts ought not in fairness to be confined to what was considered an Arts Education in the older Universities; Modern Languages, Chemistry,

* The Magee College was prominently referred to by the Premier in his recent speech. It is proper to point out in the words of its foundation scheme that it was founded as a "college for education of young men in preparation for the Christian Ministry," but its literary and scientific departments are in the words of the same scheme "open to all persons." In one of its aspects it therefore is a theological seminary, and in its secular departments an open college. It may be added, that it owes its existence to a bequest given before the foundation of the Queen's Colleges.

DOCUMENTS, VII.

Natural Philosophy, the English Language, History and English Literature, Zoology and Botany, are also included in the Arts curriculum of the Queen's Colleges. They do not the less contribute to a liberal education, because many of those who attend them are the students in the Faculties of Law or Medicine, or in the Department of Civil Engineering. To prevent misrepresentation on this subject the Committee print the number of students attending the several classes in the Queen's Colleges in the Session of 1871-72; and in consequence of certain statements that have been made, the Committee have distinguished the students into Roman Catholics, and Protestants of all denominations.

TABLE showing the number of STUDENTS attending the three QUEEN'S COLLEGES in the Session of 1871-72, distinguishing ROMAN CATHOLICS from PROTESTANTS of all Denominations.

CLASS.	Roman Catholics.	Protestants of all Denominations.	Total.
Greek,	31	91	122
Latin,	32	95	127
Mathematics,	36	97	133
The English Language,	24	56	80
History and English Literature,	11	46	57
Modern Languages,	70	205	275
Natural Philosophy,	64	166	230
Chemistry,	62	211	273
Zoology and Botany,	43	144	187
Geology and Physical Geography	7	18	25
Logic,	9	50	59
Metaphysics,	2	20	22
Engineering,	13	42	55
Medical Jurisprudence,	17	59	76
Anatomy and Physiology,	60	203	263
Practical Anatomy,	74	227	301
Practice of Medicine,	29	80	109
Practice of Surgery,	37	105	142
Materia Medica,	27	73	100
Midwifery,	29	75	104
English Law,	16	29	45
Political Economy,	2	11	13
Jurisprudence and Civil Law,	12	25	37

TOTAL NUMBER of STUDENTS attending the QUEEN'S COLLEGES in the Session 1871-1872.

Roman Catholics,	200
Protestants of all denominations,	545
Total,	745

NOTE.—At page 87 in the Appendix will be found the numbers attending in each College.

Case of the College and University inseparable.

It will have been observed that the Committee of Convocation have been in the foregoing observations, dealing mainly with the Queen's Colleges. They have done so because the University in its present constitution is inseparable from the Colleges. The body corporate of the University consists not of the Senate alone as an examining board, but of the Chancellor, Senate, Secretary, Professors, Graduates, and Students. The Senate is the administrative governing body of the Corporation in reference to all matters which are not under the control of the Councils of its respective Colleges. The Professors of the Colleges are the officers of the University who do its teaching work, and the students who pursue their studies under them are the persons admissible to its degrees, with the exception of medical students, who may pursue a portion of their studies elsewhere. This exception is understood to have been rendered necessary by the fact that the chief medical schools of Ireland were situate in Dublin, where unfortunately no Queen's College, or its equivalent has yet existed.

Number of Degrees conferred by the University.

The number of degrees conferred by the University is often put forward as a test of the success of the institution; but as was pointed out by the Queen's College Commissioners in their Report, already referred to, the number of students graduating in the Queen's University affords an inadequate test of the work performed in or the progress of the Queen's Colleges. Still the number of degrees conferred by the University is not without its value in estimating the amount of this work, and the following table,* showing the number of degrees conferred in each year by the University since its opening, will be of interest.

It would perhaps not be becoming for the Committee to be forward in asserting what the value of these degrees may be. They will only state that they are valued by the public, and that the graduates when subjected to the test of important competitive examinations, which is, however, only an imperfect test, will compare not unfavourably with the graduates of other Universities. How far the graduates, as members of the more cultivated class of the community can compare with the graduates of other Universities, it is not for the Committee to judge.

The Claim of the Prelates inconsistent with the policy of the State for the last forty years.

The Committee feel the foregoing observations do not in any way tend to such a solution of the question as would be satisfactory to the Roman Catholic Hierarchy of Ireland. The Committee believe that the principles now put forward by the Prelates are inconsistent and irreconcilable with the principles that for the last forty years have been adopted by the State, first in the system of Primary Education, and afterwards in the Queen's Colleges and University. Between these two conflicting and irreconcilable principles the Legislature is now to be asked to decide, and the more clearly they are understood the more likely is the decision to be permanently satisfactory. It appears to the Committee that any concession to the claims of the Prelates, which would give a public recognition to avowedly Denominational Education as a part of the National University system, would only be the prelude to further claims. This has been publicly declared by the Prelates themselves, and in seeking to carry into effect a policy, which they have never concealed, they will shake to its foundation any system inconsistent with their own, into which they may be incorporated.

Direction in which any change should be.

It therefore would seem to the Committee, that if any change is to be adopted by the Legislature, it should be in the direction of thoroughly opening up any existing institution the arrangements of which may be at variance with the principle, that in every part of public National Education the religion of the student shall be asked only for the purpose of seeing, that in his private life he is placed under the care of his proper spiritual guide.

*TABLE showing the Number of DEGREES conferred in the QUEEN'S UNIVERSITY in each year since it was opened.

—	1851.	1852.	1853	1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	1667.	1868.	1869.	1870.	1871.	1872.	Totals.
LL.B.,	–	–	1	1	1	–	3	2	2	3	–	2	–	1	2	1	–	1	2	3	4	2	31
LL.D.,	–	–	–	–	–	–	–	–	1	1	–	1	–	1	1	–	–	1	–	–	–	1	7
Dip. El. Law,	–	3	1	2	4	2	1	–	–	1	2	–	–	1	1	1	–	–	1	1	–	–	21
M.A.,	–	–	11	7	4	5	9	11	7	5	7	9	13	11	15	21	13	19	18	17	17	14	233
B.A.,	–	22	25	30	19	18	28	27	16	24	31	36	47	56	56	53	55	46	43	43	42	35	752
M.D.,	6	7	9	3	9	8	11	11	13	21	21	30	26	38	31	39	39	43	50	43	61	67	591
M.Ch.,	–	–	–	–	–	–	–	–	–	–	–	–	–	–	24	20	19	22	33	32	42	42	234
Dip. Mid.,	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	42	42
B.E.,	–	–	–	–	1	–	1	10	7	5	7	3	4	10	7	12	12	7	12	7	7	11	123
Ad. eund.,	–	–	–	–	–	3	1	2	–	5	8	4	2	4	2	3	1	3	2	2	1	–	43
Dip Ag.,	4	3	1	–	1	–	1	–	1	2	–	–	–	–	–	–	–	–	–	–	–	–	13
Totals,	10	35	48	43	39	36	55	63	47	67	76	85	92	122	139	150	139	147	161	148	174	214	2,090

The Committee deny that more can be asked from a Legislature, which has declared by its acts, in the most solemn manner, that at least in Ireland it shall no longer know religious distinctions.

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Ample provision for Religious Education in Queen's College system.

In the existing system of the Queen's Colleges provision is made for appointing religious instructors for the students of the several denominations. It is not necessary to mention the details, as the provisions are set out in the Graduates' Statement in the Appendix at page 63.

Duty of the Professors.

Each Professor in teaching his students, is bound in lecturing and examining, and in the performance of all other duties connected with his chair, carefully to abstain from teaching or advancing any doctrine, or making any statement derogatory to the truths of revealed religion, or injurious or disrespectful to the religious convictions of any portion of his class or audience, and it is well known that this provision has been honourably observed. Strong, and the Committee may say, historical words have been used with respect to the blighting influence of the ascendency of one sect over another in Irish education. Wherever else it existed, it never had place in the halls of the Queen's Colleges or in the Queen's University. The Committee assert with confidence, that none of the changes, which at the instance of Her Majesty's Government have been recently effected in Ireland by the Legislature, were conceived in a spirit of more thorough liberality and justice, than the arrangements which were adopted at the time of the foundation of the Queen's Colleges, and the preparation of their Statutes under the Board of Presidents and Vice-Presidents.

The Committee, appointed as they are by the Convocation of an existing University, do not think it would be competent for them to make suggestions of a detailed character regarding other institutions. They, however, think it right to direct special attention to one of the recommendations made by a Select Committee, of which the late Sir Thomas Wyse was chairman in the year 1838. The Select Committee recommended the establishment of county academies, and of at least four colleges, one in each of the provinces of Ireland. Of these colleges three have been already established, but none has been founded in Leinster, the natural seat of which would be the Irish metropolis. And as to the county academies, while the Endowed Schools Commissioners in 1854-57, have demonstrated, and successive Governments have admitted the necessity of founding them, nothing has yet been done.

Recommendation of Sir Thomas Wyse's Select Committee in 1838.

Importance of carrying out these recommendations.

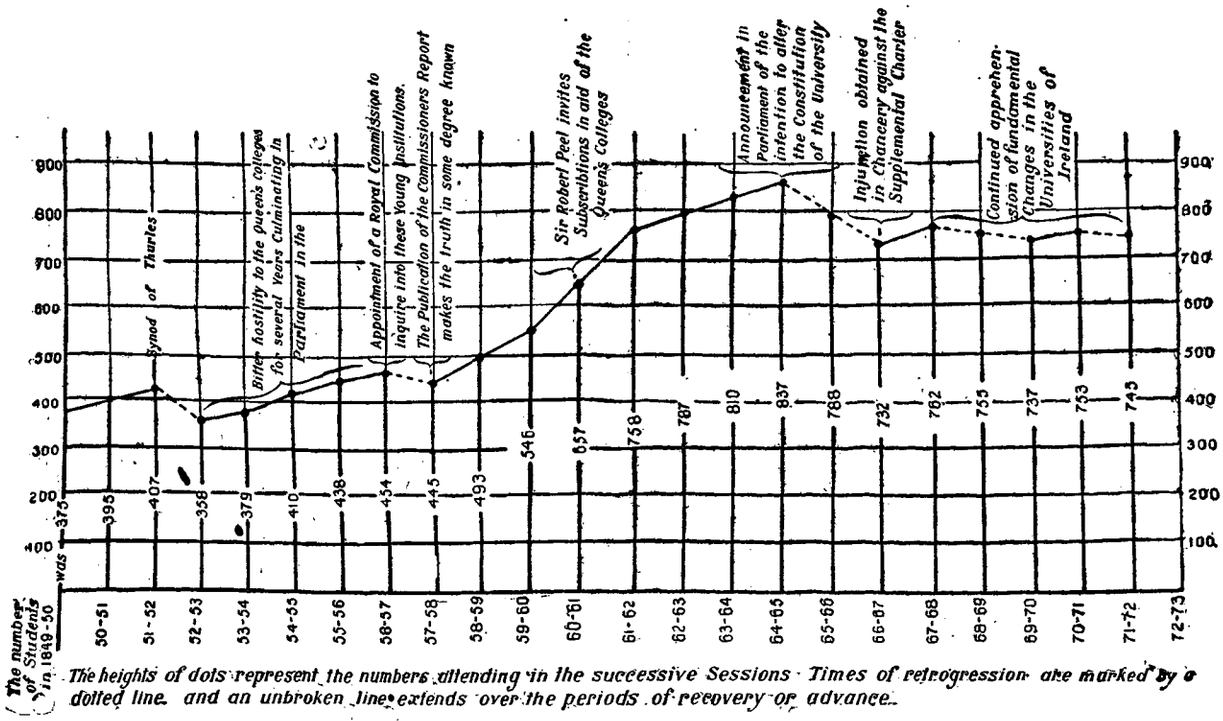
The Committee believe that a safe and practical measure, and one likely to confer lasting benefit on Ireland, would be the adoption of the recommendation of the Select Committee; and in any changes that may be in contemplation relative to Education in Ireland, they would respectfully press it on the consideration of Her Majesty's Government.

Future policy of Legislature should be declared.

But whatever changes may be impending over National Education in Ireland, the Committee hope that there will be no hesitation in distinctly declaring what the future policy of the Legislature will be as to the principle on which University Education is to be conducted. The Committee are not disposed to make any complaint of occurrences that have taken place during the last few years, but they consider they are bound to point attention to the effect on the institutions whose interests it is their duty to protect, of certain declarations and acts that were understood by many to be more or less hostile to the principle of United Education in Ireland. This will be readily apparent from the annexed diagram, which has been prepared by the Secretary of the Queen's University in Ireland, and which shows at a glance the prejudicial effects which have from time to time resulted to the Queen's Colleges from the matters referred to.

Prejudicial effects of certain declarations and acts on the attendance at the Colleges.

Diagram of the fluctuations in the numbers of Students attending the Queen's Colleges since their opening.



The heights of dots represent the numbers attending in the successive Sessions. Times of retrogression are marked by a dotted line, and an unbroken line extends over the periods of recovery or advance.

Prudence of carrying out the policy of Sir Robert Peel as declared in 1845.

The Committee do not conceal from themselves the political difficulties that surround the question of Education in Ireland. They will give their sympathy to British statesmen in any sincere effort to solve them in the interests of Irishmen. But they feel persuaded that the only action from which permanent success is to be hoped, is persistence in, and development of, the *policy of justice*, which was laid down by the late Sir Robert Peel in 1845, as one, the fruits of which the empire would sooner or later reap; a policy which was then generally accepted in Ireland, and amongst others by a large number, if not a majority of the Irish Roman Catholic Prelates; a policy which has been adopted in the Universities of Scotland; which the Dublin University, in a more or less perfect form, has declared its willingness to adopt, and which is every year making steady progress in Oxford and Cambridge; but a policy which, it cannot be too soon learned, is irreconcilable with the extreme claims put forward by the Roman Catholic Hierarchy.

Principles which ought to be maintained.

The Committee, however, believe, that if the principles which they advocate be kept in mind, *viz.*:— *first*, that National University Education means not mere results tested by an examining board, but collegiate training tested by proper examinations; *secondly*, that such education ought, as much in the College as in the University, be made available for

every one without religious distinction; and *thirdly*, that such National Education ought not to be intrusted to administrators hostile to it, and if these principles be unhesitatingly and thoroughly maintained, the question may be settled on a basis that will every year become firmer.

POSTSCRIPT.

As already mentioned, the foregoing Statement was in type before the introduction of the University Education (Ireland) Bill.

The Committee do not feel called on to enter into any detailed examination of the provisions of that measure. With reference to some of its more prominent points, they may observe that it does not clearly appear, either from the Bill or from Mr. Gladstone's speech, whether the intention of the scheme is that the degrees of the University may be given as the result of examination alone, without Academic (or University) training but so far as the Committee can collect, this is in fact the intention. If this be so, the scheme is open to the objection that, while professing to be "for the advancement of learning" in Ireland, it perpetuates in the reformed scheme of National University Education the condemned practice of the existing Dublin University, in granting degrees to students, on examination alone, who have never been subject to any Academic or University teaching.* If, on the other hand, the scheme be one that requires academic training, and if the Denominational Colleges to be affiliated with the University are to be institutions in which this training may be received, the proposed measure is open to the more serious objection of recognising Denominational Colleges as National University Institutions. The Premier has, as the Committee understand, advanced the argument that persons who refuse to share in literary and scientific University training provided by the State, through Professors whose duty it is not to offend the religious opinion of any, are subjected to a religious grievance. If this be sound, it will be difficult for Parliament, either now or at some future time, to resist the claim for the endowment of institutions, to afford University training that will not subject to such a grievance the members of the most numerous and least wealthy class of the Irish people; in other words, for the endowment of Denominationalism.

The Committee regard with some apprehension the provisions in the Bill for the establishment of a new University Professorial staff in Dublin, endowed in the manner proposed.

If this new Professorial system is to be conducted on really undenominational principles, it would in essential particulars bear a close resemblance to Trinity College as reformed, and would, therefore, be an unnecessary and unprofitable employment of public money. If it is not to be so conducted, it ought not to find a place, and least of all the foremost place, in the National University.

The Committee would—as the matter of reforming Trinity College is now before the Legislature—with due deference, suggest that Trinity College might be readily brought into harmony with the opinions of Irishmen, by adding to the teaching and governing bodies of that College a certain number of distinguished persons, educated there, or otherwise sympathizing with its national character and traditions, who, by reason of religious restrictions, have been hitherto debarred from their fair place in that College.

With regard to the Council of the proposed University the Committee would press on the wisdom of Parliament that National University Education of a Non-Denominational character will be placed in a position of permanent agitation and danger, if subjected to influences in their very nature Denominational, and hostile to Non-Denominational Istitutions.

The Committee would gladly submit to much sacrifice if at the present crisis the authorities of the Catholic Church could be induced to join in carrying into effect a system of National University Education, in which all Irishmen might take part; but they believe that this will not be successfully achieved by combining in governing bodies persons who differ in principle as to the system they are to administer. They would, however, cherish a hope that, utterly irrespective of party struggles or exigencies, which in the sacred interest of the education of Irishmen they solemnly deprecate, some arrangement may be effected, through a principle incorporated into the Queen's Colleges Act, facilitating the erection of Halls of Residence for students of different religious persuasions.

By development of this principle, arrangements could be readily made enabling students in their private life to live as much apart as might be considered necessary, under their own religious teachers or tutors, but who would partake in common with their fellow-countrymen of the educational training and advantages which the State provides for all, which alone it should provide, and which in every one of its publicly recognized Colleges should be secured to all.

But if, for whatever reason, such an arrangement be not practicable, and if a system is to be created in Ireland, distinct from the London University, for the purpose of conferring degrees on the Students of Denominational Colleges, then the Committee would suggest that a portion of the expenditure proposed for the duplicate Professorial system in Dublin should be applied to the purposes of an Examining University, independent of the proposed University of Dublin, in which both those who decline to be educated in common with their fellow-countrymen in literature and science, and those who may not be able to avail themselves of an academic or University training, may obtain the civil privileges of a degree.

The Queen's University might then, as proposed in the Bill, be incorporated into the Dublin University, as the Great National University of Ireland. The constitution of the proposed Council of the National University of Ireland might then be, as is most desirable, made Academic and non-Denominational in character.

But in case Parliament should think fit to adopt any scheme, by which the University would become Denominational in its character, or its Degrees would be conferred as the results of Examinations only, the Committee, in pursuance of the spirit of the resolutions invariably adopted by Convocation and in accordance with their own unshaken convictions as to the wisdom of maintaining University Education in Ireland, free from denominational influences, and strictly academic in its character, would earnestly appeal to the legislature to exclude entirely from the operation of the proposed Act the Queen's University and its Colleges, and to permit them to work out in Ireland the policy for which they were founded. Sir George Grey, writing on behalf of Her Majesty's Government, in the letter alluded to in the statement, says that the principle on which the Colleges were founded is "a sound one," and Mr. Gladstone in his recent speech declares that the influence of the Queen's University is "unmixedly good as far as it goes." That it has not gone much further is to a great extent owing to the want of a system of Intermediate Schools in Ireland.

The Committee hope that the proposed destruction of the Queen's College, Galway, will not be pressed by the Government. The Galway College has done good work in the face of very great difficulties. It is numerically the weakest of the Queen's Colleges, but it has conferred many benefits on its neighbourhood and province, and in proportion to their numbers its students have always held a distinguished position.

By order of the Annual Committee,

JAMES WILSON, M.A., LL.B.,
Clerk of Convocation.

DUBLIN CASTLE,
22nd February, 1873.

* The students of Trinity College are and have always been of three classes—(1) resident students: 2) students not resident in the College, but resident in Dublin and the suburbs; (3) students not in either of the preceding classes, and who merely come up for examinations. The students of the two first classes alone had an opportunity of getting academic training They had and have the same opportunities of sharing it. The second class correspond to the "extra collegiate" students of the University of Oxford, and are a class of students that it is desirable to retain, and if necessary to make further provision for by a development of the Professorial system in the College; but it is to be hoped that the third class will be abolished.

APPENDIX.

STATEMENT adopted by the GRADUATES of the QUEEN'S UNIVERSITY in IRELAND, assembled in public meeting in Belfast, on Wednesday, 6th December, 1865.

Convocation created but yet unsummoned:

BY the recent charter of the Queen's University in Ireland a Convocation, consisting of the Chancellor, Senators, Secretary, Professors, and Graduates of the University was created, with the power of discussing any matter whatever relating to the University and of declaring the opinion of Convocation thereon, but no meeting of the Convocation has been authorised by Her Majesty, or summoned, as provided by the Charter. Under these circumstances, it having been stated that changes in the principles approved of in recent years in public education in Ireland are under the consideration of Her Majesty's Government, and, in particular, that the Queen's University in Ireland is intended to be the medium of conferring degrees on the *alumni* of institutions based on the principle of sectarianism, the Graduates of the Queen's University think it their duty to publicly state their opinion as to changes of the nature above indicated.

Therefore graduates state their opinion as to alleged intended changes.

Difficulty of dealing with undefined changes.

The Graduates of the Queen's University are aware of the inconvenience and difficulty of combating propositions which are yet known only by vague rumours, and which so far as they have learned may be yet undefined. But, bearing in mind that important action may be taken by the Government before those connected with the Queen's University shall have the more favourable opportunity of supporting their views through Convocation, it is considered that the cause of United Education, which has been established now for so many years in Ireland, may be in some degree served by giving a short sketch of the action of the British Parliament and successive Governments in relation to the vexed question of education; and by submitting that the policy of a generation of great and enlightened statesmen ought not to be reversed without the most weighty and well-considered reasons.

Brief Sketch of Public Education in Ireland.

Sketch of Public Education

In the year 1791 a commission of distinguished men, presided over by Provost Hutchinson, the secretary for Ireland, made an elaborate report to the Lord Lieutenant, from which the following is an extract:—

Opinion of Commissioners of 1791.

"We beg leave to submit to your Excellency as our decided opinion, that there should be no distinction made in any of the schools [charter, parish, diocesan, and royal schools] between scholars of different religious persuasions, without meaning, however, to interfere with the peculiar constitution of the charter schools, or with the intentions of the founders of any other schools, expressed by their wills or other instruments directing such foundations."—*Report of Commissioners of Education Inquiry*, 1791. (*Printed in Appendix to Endowed Schools' Commissioners' Report*, vol. ii. p. 364.)

Result of Report.

The chief immediate result of this Report appears to have been the passing of the Roman Catholic Relief Act of 1793 removing certain disabilities as to education, to which persons of the Catholic persuasion had long previously been subject.

Report of Select Committee of 1828.

After this but little was done for public education in Ireland, save voting money to be expended through the agency of the Kildare-place Society for the education of the poor of Ireland, until the establishment of the system of National Education in 1831. There were, however, valuable inquiries conducted by means of Commissioners in the years 1807-12, and in the years 1825-7. The Reports of these Commissioners were submitted to a Select Committee of the House of Commons in 1828, and that Committee passed a series of resolutions in favour of the establishment of a system of education in Ireland, in which no attempt should be made to influence or disturb the peculiar religious tenets of any sect or denomination of Christians. They recommended that pupils of all persuasions should be provided with literary instruction in common, and that every facility should be afforded for their religious instruction separately.

Acting on the Report of that Committee, Lord Derby addressed a letter to the Duke of Leinster in 1831, which led to the formation of the present National Board of Education.

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Formation of National Board, the result of Committee's Report.

Principle of National Board.

It is not necessary to say more of the system of the National Board than this, that the schools are open to persons of every religious persuasion, and no pupil is permitted to be deprived of the advantages of the secular education therein afforded on account of non-attendance at religious instruction to which his parents or guardians object. The success of this system, which is principally available for the more humble members of society, though by no means confined to them, is shown by the facts mentioned in the last Report of the Commissioners (for the year 1864):—

Facts proving success of National Board System.

(*a*) NUMBER OF DISTINCT CHILDREN appearing on the roll during the entire year:—870,401.

(*b*) ESTIMATE of the number belonging to EACH PERSUASION:

Established Church, . .	56,961
Roman Catholics, . . .	710,270
Presbyterians, . . .	97,053
Other Persuasions, . . .	6,117
	870,401

(*c*) PER CENTAGE OF SCHOOLS from which returns were received, exhibiting a mixed attendance of Protestant and Roman Catholic pupils for the years 1861, 1863, and 1864:—

	1861.	1863.	1864.
Ulster, . .	81·1	81·6	80·9
Munster, .	30·5	32·8	32·0
Leinster, .	39·7	40·8	40·4
Connaught, .	45·1	45·1	45·0

Defects in academical education apparent.

After the establishment of the National Board it was felt that a great defect existed in the provision made for public academical education; and in the year 1835 a Select Committee was appointed, to which the entire question of public education in Ireland was referred.

Sir Thomas Wyse's Select Committee of 1838.

Of this Committee the late Sir Thomas Wyse was chairman; and, in the year 1838, they reported in favour of a measure for dissolving the Board of Commissioners for the Diocesan, Royal, and other schools of public foundation, and constituting a new Board of National Education to which should be committed the charge of both elementary and higher class school education.

Committee recommend a thorough system of Public Education.

The Committee recommended the establishment of County Academies, and of at least four Colleges—one in each of the provinces of Ireland—and suggested the advisability of conferring degrees on the students of those Colleges by a central Board in Dublin. The Committee state that the objects to be kept in view in the proposed system of public education are as follows:—

Opinions of Committee.

"The system should be in harmony with the real wants and position of the class for which it is intended; it should, as much as possible, accord with other portions of the education system; it should be of the most improved character; it should be general, common to all, without distinction of class or creed; and once established it should be rendered permanent."

And in concluding their Report the Committee say:—

"Your Committee have thus endeavoured to lay before the House as ample an account as was in their power of the conclusions to which they have arrived on the important questions submitted to their consideration. They have aimed at establishing a system, adequate, they trust, to the wants of the country, open to all sects, professions and classes; cheap, universal, and they are willing to hope, durable. * * * * Your Committee are not insensible, however, to the difficulties which must necessarily impede its immediate adoption; they are far from urging precipitate or wholesale experiments, at the same time they consider it of moment that whatever portion be adopted, its relation to others should be steadily kept in view. Without a due observance of this principle, it will be at any period difficult to establish a sound and comprehensive system, and education [will] be exposed to a series of abortive attempts, involving large expenditure

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with little benefit to the public. If no other result should follow from this Report than to preserve from these errors, it will not be without its use, but your Committee are more sanguine in their expectations; a portion of the system proposed is actually in operation; by giving to that portion, with the alterations suggested, a legislative sanction, the country will be enabled to advance gradually with increased confidence to others, and terminate, it is earnestly desired, at no remote period, by the full establishment of one of the most indispensable of all civil institutions—a system of public education, in every particular thoroughly and permanently 'National.'"—*Report*, pp. 80, 81.

Recommendations partly carried out by Sir R. Peel's Government in 1845.

The elementary portion of the system of public education recommended by the Committee being to a great extent in operation in the schools under the National Board, the Government of Sir Robert Peel determined in 1845 to carry out further the system recommended by the Committee, and accordingly the Queen's Colleges at Belfast, Cork, and Galway were founded. It appears at first to have been the intention of the Government not to make any provision for the religious instruction of the students attending the colleges, but this intention was subsequently modified, and finally by the College Statutes every reasonable arrangement was made for facilitating the care of the faith and morals of the students by Deans of Residences. As the provisions on this head are not always fairly put before the public, it may be useful to give them fully. In the chapter of the Statutes as to the Residences of Students, and the Deans of Residences, it is provided as follows:—

Provisions as to religious instruction modified subsequently to introduction of Colleges' Bill.

Existing provisions as to Religious Instruction.

"If the Bishop, Moderator, or constituted authority of any church or religious denomination shall notify to the President his or their desire that there shall be a boarding-house specially licensed for the exclusive use of the students of such church or denomination, and shall specially recommend persons applying for licence to establish the same, the President shall, in every such case, grant such licence, provided he shall obtain satisfactory evidence of the suitableness of the proposed establishment, and of its means of providing for the health and comfort of the students.

"In the case of collegiate students residing in a seminary or school which is under the special jurisdiction of the Bishop, Moderator, or the constituted authority of any church or religious denomination, the President shall, on receiving a notification from such authority, consider residence in such a seminary or school as equivalent to residence in the house of a parent or guardian, and shall exempt such seminary or school from licence or inspection, but shall require the same attendance at entrance as in the case of a student residing with his parent or guardian.

"For the better maintenance of moral and religious discipline in the licensed boarding-houses, such clergymen or ministers as We shall, from time to time, by warrant under Our sign-manual, appoint Deans of Residences, shall have the moral care and spiritual charge of the students of their respective creeds residing in the licensed boarding-houses.

"The College Council shall have power to assign lecture-rooms within the precincts of such college, wholly or in part, for the use of the Deans of Residences, for the purpose of affording religious instruction to the students of their respective creeds, and also to make rules concerning the days and times when such religious instruction shall be given therein, and for securing that the same shall not interfere with the general discipline of the college provided always that no student shall be compelled by any rule of the college to attend any theological lecture or religious instruction other than is approved of by his parents or guardian, and that no religious test shall be administered to any person in order to entitle him to be admitted a student of any such college, or to hold any office therein, or to partake of any advantage or privilege thereof.

"No clergyman or minister shall be competent to assume or continue to hold the office of Dean of Residences unless approved of by the Bishop, Moderator, or constituted authority of his Church or religious denomination.

"The registrar shall, at the commencement of every collegiate session, furnish each Dean of Residences with a list of the names and residences of the students of his religious persuasion who may reside in the licensed boarding-houses.

"Each Dean of Residences shall, at the termination of every collegiate session, report to the President on the general conduct of the students under his moral care and spiritual charge, and on the manner in which discipline, regarding such students, has been observed in the several licensed boarding-houses in which they reside."

And in the Chapter as to Punishments, it is provided as follows:—

Students liable to expulsion for neglect of religion

"Any student guilty of any of the following offences shall be liable to expulsion from the College; but it shall be competent to the Council, should they deem it more conducive to the discipline of the College and the reformation of the offender, to impose some lighter punishment for the same:—

"1. Habitual neglect of attendance for divine worship at such church or chapel as shall be approved by his parents or guardians.

"2. Habitual neglect of attendance on the religious instruction provided for students of his church or denomination.

"3. Immoral or dishonest practices.

"4. Treasonable or seditious conduct.

"5. Drunkenness."

It is not always conclusive in favour of any measure to cite the opinions of even the wisest statesmen, as expressed in Parliament. They are often compelled by the exigencies of party to advocate measures which they do not wholly approve of, and perhaps no less frequently, for the multiplicity and pressing character of their engagements, they are unable to give that care and attention to matters discussed by them in the legislature, which the nature and difficulty of the subjects require. But, considering the state of parties when the Colleges Bill was introduced, and the feelings of large numbers of the members of either House of Parliament, it will not be denied that these observations are inapplicable to the carefully considered declarations of the illustrious men whose opinions, as expressed in the debates of the Colleges Bill, it may be useful here to cite since they can but speak to their countrymen from the grave.

Opinions of statesmen expressed in Debate on Colleges' Bill—

Sir James Graham, in introducing the Colleges Bill, having explained the principles on which the system of the National Board was based, proceeds:

Sir James Graham's—

"I have now stated to the House what appears to me to be the sound principles upon which we should proceed in this matter; and when I say sound principles, I mean sound principles with reference to the peculiar circumstances of the country with which we are about to deal; and I have demonstrated to you also what was the failure of all your attempts to extend to the Irish people the benefits of education until those principles were adopted, and what has been your success since you began to carry them into execution; and, relying alike upon the weight of experience and upon the theoretical soundness of principles such as these, as applied to the state of society, and of the different religious persuasions in Ireland, I am prepared to say that Her Majesty's Government have no hesitation in recommending to the House the establishment of three provincial colleges in Ireland, all founded upon the principles I have described. * * * * The principle—the fundamental principle—on which we ask the House to carry this proposal of the Government is, the absence of all interference, positive or negative, with the conscientious scruples of the students in matters of religion. That is the principle which I contend for, and that is the principle on which alone I can anticipate success for the measure in Ireland. * * * * I am strongly and decidedly of opinion, that should the House sanction this proposition—limited as it is—that yet it involves a measure which will have a most favourable effect on the moral and social condition of

the Irish people. My belief is, that it will conduce to the concord, the order, the peace, and the virtue of the country. To maintain and to preserve these is the grand object of successful civil government. I believe that if you will consent to this measure, these great and noble objects will be essentially promoted. I have been taunted with former failures, in reference to this subject. Sir, I am aware of my inability as an advocate to plead the cause of national education; but I am deeply impressed with its importance, with the soundness of the principle which I have proposed; and I am confident, indeed, of the good which will result from it. I implore then, your co-operation and general support. I ask for it without reference to religious differences which may prevail in Ireland, without regard to political disputes which may exist here."—*Hansard's Parl. Debates, Third Series*, vol. lxxx., pp. 353, 357, 365, 366.

Sir Thomas Wyse, in the debate that followed the introduction of the measure, said:

Sir Thomas Wyse's—

"He hailed with infinite satisfaction the propositions that night made by Her Majesty's Government; he regarded it as a great boon that establishments were now to be created for the purpose of communicating that knowledge which would teach men to forget their prejudices—which would remove the scales of ignorance from their eyes—which would make them remember not the differences between them and their fellow-men, but the points in which they resembled each other; which would induce them to contend for the wealth that knowledge gave, as well as that which flowed from the treasury."—*Hansard's Parl. Debates. ubi supra*, p. 374.

The late Sir Robert Peel concluded a most earnest speech in favour of the Bill; as follows:

The late Sir R. Peel's—

"If you found these Colleges on the plan we propose, I trust that we shall have established, as far as circumstances will permit, a perfect system of secular education. We shall reap the benefit of this. We shall promote social concord between the youth of different religious persuasions, who, meeting to receive the advantages of joint education, will unite in honourable rivalry, and who, hitherto too much estranged by religious differences, will acquire new means of creating and interchanging mutual esteem. I sincerely believe that, as well as receiving temporal advantage, so far from preventing any advantages with respect to Christianity, the more successfully will you labour to make men good Christians the more they are imbued with that great principle of our faith—a principle which, I am grieved to say, many individuals are too apt to forget—the principle, I mean, of reciprocal charity. By cultivating that principle, you will better serve the cause of true religion, and of peace, morality, and social comfort and concord in Ireland, than by leaving her inhabitants in division and ignorance; in the vain hope that by so doing you are promoting your own religious principles."—*Hansard's Parl. Debates, ubi supra*, p. 391.

And in a subsequent debate the same great statesman declared:—

"I should relinquish, with the deepest regret, the prospect of having education in common for the Protestant, Presbyterian, and Roman Catholic youth of Ireland. I wish, then, to establish first the policy of having academical institutions in Ireland on a more extensive scale, and next to have the means of educating there together the youth of Ireland."—*Hansard's Parl. Debates, ubi supra*, pp. 1282, 1283.

The late lamented Premier hailed the measure on its introduction,

Lord Palmerston's—

"First, as adapted to produce a great moral improvement amongst the middle classes of the Irish people; and secondly, as laying the foundation for concord between persons of different religious opinions, and as being calculated thus to confer the greatest possible benefit on the Irish people."—*Hansard's Parl. Debates, ubi supra*, p. 408.

Mr. Sheil, while urging some objections to the bill, because provision was not then made for the care of the religion and morals of the students, expressed, in the eloquent language that follows, his approval of the principle of United secular education when due regard was had to separate religious culture:—

Mr. Sheil's—

"I coincide with my honourable friend the member for Kerry (Mr. M. J. O'Connell) in thinking that education in Ireland should be mixed—I mean secular education. We must in manhood associate in every walk of life. The Catholic and the Protestant merchant must place in each other that entire reliance which is the foundation of all mercantile transactions. To the Protestant and Catholic solicitor, to the Catholic and Protestant advocate, men differing from them in religious opinions entrust fortunes, life, and honour. At the bar, where our faculties are in collision, and our feelings are in contact, our forensic brotherhood is not interrupted by theological discriminations; in the noblest of all professions—in the army, the Catholic and the Protestant Irishman are comrades, and are attached by a devoted friendship; they stand together in the same field of fight; they scale the same battery; they advance in the same forlorn hope; and, to use a fine expression of the great poet whose remains the first minister of the crown lately deposited hard by—from the 'deathbed of fame they look proudly to heaven together.' And if thus, in our maturer years, we are to live and die together, shall we be kept apart in the morning of life, in its freshest and brightest hours, when all the affections are in blossom, when our friendships are pure and disinterested, and those attachments are formed which last through every vicissitude of fortune, and of which the memory survives the grave? But, while I think that our altars should not stand as partitions between us, I do not thing that from our altars we should turn with indifference away. Mixed secular education ought to be combined with separate religious instruction, which ought to have been provided by the State." * * * * "You ought to locate in your colleges a Protestant and a Catholic ecclesiastic, pious, learned, and persuasive, by whom the great tenets of Christianity might be enforced, by whom the New Testament—in whose moral injunctions we all concur—in whose dogmas we ought to have no acrimonious difference—should be read and expounded according to the interpretations of their respective churches—whose eloquence should charm, whose example should allure, and by whom the minds of their young spirits should be elevated to the political contemplation of those subjects, in comparison with which every object of an interest merely human dwindles into evanescent diminution. I do not ask for a chair of Divinity; I do not ask for rival theatres of theological disputation—I want a Catholic priest to say prayers for Catholics, and a Protestant priest to say prayers for Protestants."—*Hansard's Parl. Debates, Third Series*, vol. lxxxii. pp. 358, 359.

Objections urged in debate subsequently removed.

In the College Statutes, which were long subsequently drawn up by the Board of Colleges, under the auspices of Lord Clarendon, the chief objections urged against the Colleges by Mr. Sheil and Mr. O'Connell* were in a great degree removed by means of the provisions as to Deans of Residences already alluded to, and the term "Godless," which has often been so ignorantly or unscrupulously applied to the Colleges, was rendered, as regards them, meaningless.

Foundation of Queen's University

The Queen's University in Ireland was founded in the year 1850 for the purpose of giving degrees in Arts, Medicine, and Law, to students of the three provincial Colleges, and its object was to advance learning in Ireland and incidentally to promote peace and friendship between the different classes of Her Majesty's subjects. It will be presently seen that in these objects the Queen's University has met with gratifying success.

Intermediate Education still unprovided for.

The system of elementary and collegiate education recommended by the Committee of 1838, has thus been for the most part carried into operation, and the principles on which United Education is alone possible have been therein thoroughly recognised. But nothing has been done to carry into effect the Report of that Committee with respect to the establishment of Intermediate Schools or County Academies.

* *Vide Hansard's Parl. Debates, Third Series*, vol. lxxxi., pp. 1357, 1358.

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Report of Commissioners of Endowed Schools, 1858.

In the year 1854, however, a Commission was appointed to inquire into the Endowed Schools in Ireland; and, by an Act of Parliament passed in the following year, the Commissioners were directed to report to Her Majesty such plans as should appear to them to be expedient and practicable for the general promotion, in connexion with the Endowed Schools, of Academical education. The Commissioners, having elaborately investigated the entire subject, made their Report in the year 1858. After stating the proposition put forward by the present Mr. Baron Hughes, one of the Commissioners, "That it is right and just that endowments, in which different religious denominations have, or shall have, rights or interests, should be divided among the several religious denominations, according to their wants and numbers in the localities to which such endowments are applicable," and, after referring to the Synodical Address of the Council of Thurles and the Rescripts on the Queen's Colleges the Commissioners say:—

Opinions of Commissioners adverse to Sectarian Education.

"After mature consideration, we have come to the conclusion that we cannot recommend the adoption of these principles. They are completely at variance with those which have been recognised for some years past as the basis of parliamentary aid to education in Ireland. They are also at variance with the recommendations of the Commissioners of Education Inquiry of 1791 and with the plan proposed by Mr. Wyse's Committee of the House of Commons on Foundation Schools in 1838.

"We were most anxious to have matured a plan that would have met with the concurrence of Mr. Hughes; but, notwithstanding his dissent from our views, we feel that the demand for Intermediate Education is so considerable, especially in the North of Ireland, that we are called on to suggest means of supplying it, in accordance with principles that we can approve of, in those localities where it is required by the inhabitants, without providing a Government system of Intermediate Education in places where it might not be acceptable to the majority of the population.

"We think that this may be effected by the union of local funds, under the management of local trustees, with grants of public money. The provision for local management would enable the trustees to make suitable regulations for religious instruction, provided that the school shall, as a condition of its partaking of the grant of public money, admit of the united education of persons of all religious persuasions; and provided, also, that the local managers shall be subject to the direct control of the proposed Commissioners of Endowed Schools."—*Endowed Schools Com. Report*, p. 223.

And the Commissioners, when treating of the religious and moral discipline of scholars in the proposed scheme of Intermediate Education, say:—

"The paramount importance of a sound religious and moral discipline as the basis of education, might seem to require a more lengthened examination of this subject than we here propose to undertake. We dispense, however, with the discussion of this question, because we regard it as almost an undisputed one. We fully admit the principle, but we insist on the propriety of securing due facilities for its application in such ways as are consistent with a regard to parental authority and responsibility, and the maintenance of the rights of conscience. We also think it right to declare our belief in the possibility of separating the courses of secular and religious instruction, so far as to enable scholars of different religious denominations to receive instruction of the former kind in the same school, without compromise of opinions or risk of offence."—*Endowed Schools Com. Report*, p. 214.

Refusal of grants to Church Education.

It may not be out of place here to refer to the consistent refusal of Parliament to extend to the Church Education Society of Ireland public sanction or support, for the simple reason that the ground taken by that Association involved a violation of the principles on which the possibility of United Education depends.

From the foregoing sketch it would appear that the opinions of Committees of the House of Commons and of statesmen, and the action of Parliament and successive Governments, have for many years been in favour of United Education in Ireland.

Has any Case been made for a Change of Policy and the Substitution of Sectarian for United Education.

It has been thought desirable, even at some length, to refer to the history of Public Education in Ireland, not only in the College and University, but also in the elementary school. It is felt most strongly by the Graduates of the Queen's University that the entire system, as now existing, stands or falls together. If sectarian education in colleges is recognised by the State, and placed in a position in which the powers and privileges granted by the State can be used against the system of free and liberal education (a system which the Graduates entertain no doubt is incomparably the best for Ireland), it will be impossible to prevent the triumph of Denominationalism in every part of public education in this country. Then the struggle between rival denominations will not be restricted to those centres of intelligence where enlightenment and intercourse with the world tend in some degree to mitigate sectarian animosities; but, in every parish and district in Ireland, the National schools, which are now so many local citadels for the protection of civil and religious liberty, will be turned into strongholds of intolerance, recognised, inspected, and in the main supported by the State.

Entire system of public non-sectarian Education stands or falls together.

Why should sectarianism be introduced into Ireland?

It may be fairly asked, What is there in the temper of the age to justify so retrograde a measure as the introduction of a system of sectarian education into Ireland, to be at least encouraged and privileged, if not endowed, by the State?

Tendency of changes in England:

In England test oaths have been recently abolished in the Universities of Oxford and Cambridge, and the degrees, and many of the prizes, have been thrown open to all; while, in elementary education, the introduction of a Conscience clause points to the just limitation of the powers of managers and patrons of public schools.

In Scotland.

In Scotland, the Universities have been lately freed from ecclesiastical control.

In Trinity College, Dublin.

In Trinity College, Dublin, it is often made a matter of glorification that Dublin University is the "national" University, and that the halls of Trinity College are open to every Irishman without any reference to his creed. And, although this is only in one sense true, few intelligent observers will doubt that that venerable Institution is slowly tending in the direction of freedom and real nationality.

Do circumstances justify such a change?

Is there anything, then, in the circumstances of the Queen's Colleges and University, or of Ireland, to justify the threatened change? It has, indeed, been often said that the Colleges are a failure; but can this position be maintained?

Report of Commissioners of 1857.

In the year 1857 a Royal Commission examined into and reported on the progress of the Colleges; and, after a most careful examination, the Commissioners say:—

The Colleges then successful.

"We think that the Colleges cannot be regarded as otherwise than successful, when, notwithstanding opposing causes, to which we shall presently allude, they have in their halls, attending lectures, nearly 450 students."

Their progress since, great and constant.

Since that Report was presented to Parliament, the progress of the Colleges has been great and constant, as will appear from the following table:—

NUMBER OF STUDENTS ATTENDING THE THREE QUEEN'S COLLEGES.

In the year of Commissioners' Inquiry (1857-58)	445
,, 1858-59,	490
,, 1859-60,	546
,, 1860-61,	657
,, 1861-62,	758
,, 1862-63,	787
,, 1863-64,	810
,, 1864-65,	835

Educational success.

The Commissioners refer with unqualified satisfaction to the educational success of the Colleges, and they conclude their Report with a paragraph which we give in full, as it expresses, we believe, with authority and truth, some of the many benefits connected with the system of education as at present existing.

Good done by the Colleges.

"We think, however, that the good done by the Queen's Colleges as great public institutions in Ireland, cannot be estimated merely by the number of students in their halls, or by the successful candidates whom they may send to the great public contests of the educated youth of the empire. We believe that, beyond this, they are, by the honorable competition existing between the students and professors of the several Queen's Colleges amongst themselves, and also by the healthy, and, we hope, friendly competition with the University of Dublin, materially aiding in advancing learning in Ireland. We believe that the Colleges are calculated, and we trust the association of students of various creeds and opinions within their walls does operate, to soften those feelings of party antagonism and sectarian animosity which have heretofore unhappily had too extended an existence in Ireland; and that they are rapidly generating a feeling of local self-reliance and of self-respect, and exciting an interest in the culture of literature and science throughout the community at large."

Union of different creeds.

The union of the several religious denominations in the Colleges continues satisfactory.

The number of students who have entered the Colleges, up to the end of last session, was 3,330, thus classified:—

Established Church, . .	957
Roman Catholic, . . .	938
Presbyterian, . . .	1,197
Other Persuasions, . .	238
Total, .	3,330

The numbers of the several persuasions attending the Colleges in the last three years were as follows:—

	Established Church.	Roman Catholic.	Presbyterian.	Other Persuasions.
1862-63, .	212	214	277	84
1863-64, .	210	237	260	103
1864-65, .	221	229	273	112

The representation of Roman Catholics more adequate than is supposed by some.

So much misuse is made of statistics on this subject, that it may be not improper here to state that the foregoing numbers furnish a much more adequate representation of Roman Catholics than has been sometimes publicly stated. Although it appears from the last Report of the Census Commissioners (Part iv., p. 46) that the number of male scholars receiving instruction in "superior" schools was 12,785, of whom 5,792 were Roman Catholics, and from these numbers alone a larger proportion of Roman Catholics might be looked for in the Queen's Colleges, yet on turning to page 62 of the same Report it will be seen that while the entire number of members of the "Learned Professions" (exclusive of clergymen), and "other Liberal Professions," is 6,482, the number of Roman Cathblics included therein is 2,219, or about one-third. No inconsiderable proportion of the comparatively large number of Roman Catholics at "superior" schools is absorbed by the demands of the Catholic Church at home, in the United States, and in the British colonies; and this class of scholar never will be represented in non-theological colleges. It is to be remembered at the same time that, owing to the fact that the clergy of the Presbyterian Church for the most part pursue their under-graduate course in Queen's College, Belfast, the numbers of Presbyterians are proportionately large in the foregoing table; and that, owing to the social position of members of the Established Church, persons of the latter communion will always be numerous in any college open to all classes in Ireland.

The system rising in the estimation of moderate men.

With regard to the amount of public sympathy that is enlisted in favour of the Queen's Colleges and University, the Graduates believe that it is much greater than is generally supposed. They are convinced that, notwithstanding the not inconsiderable amount of enforced agitation on the education question, the system is yearly becoming better understood and more appreciated by moderate men of all classes, and that the feeling that it would lead to proselytism or infidelity, as contradistinguished from other systems, is steadily decreasing. If the Deans of Residences were paid for their services, as recommended by the Commissioners who inquired into the Queen's Colleges, any lingering fear on this head in the minds of moderate men, would be entirely removed, and a convenient sneer at the Colleges could no longer be ventured on.*

Payment of Deans of Residences

Success of the University.

The Graduates of the Queen's University do not wish to separate the case of the Colleges from that of the University. They believe that the success of the Colleges is the success of the University, inasmuch as the success of the Colleges is to no inconsiderable extent the result of the existence of the University. Attempts have often been made to show that the entire system is a failure, on account of the alleged paucity of the degrees granted by the Queen's University. While not admitting, for the reason above stated, that the mere number of degrees granted by the Queen's University is a sufficient test of the success of the University, it may not be improper, in order to ascertain what the University has done directly, to call attention to the numbers graduating in the Queen's University and in the London University, for the first fourteen years after each University commenced to grant degrees.

Comparison between Queen's University and London University.

—	Number and Nature of Degrees.							
	LL.D.	M.D.	M.A.	LL.B.	M.B.	B.A.	Diplomas in Law and Engineering.	Total.
The Queen's University, in the 14 years beginning with 1852 and ending with 1865, granted . .	5	248	115	18	-	435	65†	886
The London University, in the 14 years beginning with 1839 and ending with 1852, granted . .	6	113	45	45	119	513	-	841
Majority in favour of the Queen's University, .	-	-	-	-	-	-	-	45

It thus appears that in the two periods taken above, the Queen's University, with its three affiliated Colleges, compares not unfavourably with the London University, with its large number of affiliated institutions. The total number, it is true, are not strictly comparable, inasmuch as Diplomas in Law and Engineering (which, however, are degrees in all but name) are placed to the credit of the Queen's University. Still a comparison of the two Universities is not without interest; and considering their circumstances—on the one hand the great and wealthy community from which the London University drew its supplies of students, the large number of intermediate schools giving more or less classical education in England, and the general

* For the favour with which the National Board system is generally regarded by the laity in Ireland, reference may be made to the last *Report of the Commissioners of National Education* (for 1864), vol. i., p. 224, under the head, "Feeling of Local Parties towards the National Schools."

† Exclusive of diplomas in Law merged in the LL.B. Degree, and of diplomas in Agriculture.

‡ Omitting M.B.'s merged in M.D.'s, which are excluded, since the Queen's University grants only the M.D. The M.Ch.'s granted by the Queen's University last year, being conferred on M.D.'s, are similarly excluded.

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interest felt in the institution by the English dissenting bodies; and, on the other hand, the poverty of Ireland, the admitted deficiency in the means of intermediate education, the strict enforcement of residence and attendance at lectures in the Queen's Colleges while non-residence was permitted by Trinity College, Dublin, the periods of distress and almost of social revolution through which Ireland has been passing for the last twenty years, and the opposition of the authorities of the Roman Catholic Church—the result of the comparison is satisfactory, and justifies the proposition that the Queen's University, by itself and without any reference to the Queen's Colleges, has been a decided success.

Unwillingness of graduates to intervene.

The Graduates of the Queen's University do not hesitate to avow that it is most painful for them to be obliged to come forward to protest against measures which they believe to be mainly desired by one order, but that they admit a very influential one, of their Catholic countrymen. But they have no alternative. Numerous as were the attacks that have been made on the Colleges and University, the Graduates, as a body, never resented them, though in many instances, assured that their opponents did wrong to institutions that they loved. They had been content to leave the Colleges and University to be defended by their results, and hoped that time would mitigate, if not destroy, the hostility of opponents. But if, as alleged, radical changes are under the consideration of the Government that has hitherto befriended them, they cannot silently allow the adoption, in connexion with the National University of the Queen in Ireland, of a principle which more than any other will perpetuate sectarian differences among those who ought to be the leaders in what would promote friendship and social peace. It is vain to conceal that the reform that is asked for in the Queen's University is a measure proposed by those in this country who have denounced United Education and the intercourse of Irishmen with Irishmen, and who now demand the proposed change as an instalment of complete Denominationalism. The Graduates would indeed be unworthy of the Institutions in which they were educated, were they not solemnly to raise their voices against any change in the system of Public Education in Ireland, involving the State recognition of sectarian education or its incorporation into the system of which the Queen's University has hitherto been the head.

They are compelled to declare their opinion.

Allegation that they are opposed to freedom of education considered.

It has indeed been said that the advocates of the Queen's University are opposed to, instead of being the friends of, freedom of education, since they seek to impose their conceptions of what is right on others who, it is alleged, conscientiously differ with them.

The answer to this is simple: they do not impose their notions on others; but they say that, at all events in Ireland, it is the duty of the State, while allowing perfect freedom to all persons to work out their own ideas on the subject of education at their own expense and risk, not in any way to recognise or encourage sectarianism in education, and they assert, as a proposition too plain for argument, that the refusal of such recognition or encouragement to all parties is no violation whatever either of the rights of conscience or of civil rights. They cannot for a moment admit that the State can be required, on the plea of conscientious scruples, to adopt a measure the natural result of which is, as felt by all to debar each class of Irishmen in their youth from friendly and equal intercourse with their fellow-citizens.

It is the duty of the State not to recognise or encourage sectarianism in Ireland.

The privileges of a degree attainable by those who prefer sectarian education.

For those who prefer sectarianism in education the London University is open, and any privileges belonging to a degree are there attainable. But the Graduates of the Queen's University maintain, that a system avowedly based on sectarianism should not in Ireland be equally honoured and encouraged by the State as a system which is based on the principle of equality to all and unfair privileges to none—a system which, by the opportunities it affords for youthful intercourse and intimacy, while duly recognising religion, makes students not only know but feel that they are fellow-beings, endowed with equal gifts, and subject to equal weaknesses, as well as fellow-citizens, with equal rights before the law. The Graduates of the Queen's University cannot forget that, in the history of Ireland, the painful record of intestine strife or religious contests occupies already too great a space. They do not wish that the now happily abating hatreds of the past should be renewed and rendered perpetual by training up as it were in hostile camps the youth of Ireland. They therefore call on all true patriots here, and on the friends of Ireland in Great Britain, to aid in opposing any change which will sectarianize public education in this country, and thereby indefinitely postpone the social and civil union of their countrymen.

The hatreds of the past should not be perpetuated

Admission to a Degree of Persons not Academically Educated.

Academic education should be insisted on for a degree.

The Graduates of the Queen's University do not deem it necessary to do more than briefly refer to the proposal, that the Queen's University should be assimilated in all respects to the London University and that no Academic undergraduate education should be required for admission to a degree, since they understand that it would not be acceptable to some of those seeking affiliation with the Queen's University. But it derives some importance from being advocated in an unpublished but widely-circulated pamphlet by an eminent Medical authority, who is also a Senator of the Queen's University. Against the scheme, however, the authority of the author may be fairly cited, since in his own more special department of study he disapproves of its adoption. By those who have enjoyed, as the Graduates of the Queen's University have done, the benefits of the Professorial system of lectures in Arts combined with strict examinations and other exercises in the classes, it may be truly declared that the advantages to be gained from Collegiate training are not less in Arts than they are in Medicine. Disregard or contempt for Academical education in Arts can only be accounted for by an experience of a comparatively worthless system of mere lectures, or of a lifeless attempt at purely Tutorial instruction.

Assuming, then, that the Academical course of training is superior for men of average or fair ability (men of extraordinary gifts who cannot attend College being independent of the encouragement to learning given by a University degree), it follows that it is the duty of those to whom is intrusted the power of encouraging the highest kind of education, not to do anything that would tend to degrade the value of the Arts and other degrees granted by the Queen's University. But, even if the assumption made were doubtful, there is no necessity whatever for making the change referred to in the Queen's University, inasmuch as in the London University any one can get a degree, subject to examination tests alone. The degree of the London University will thus be, in the estimate of the public, considered the stamp for one kind of training, that of the Queen's University and such universities as insist on Academical education, of another.

Conclusion.

In conclusion, the Graduates of the Queen's University would guard themselves against being taken to be opposed to change simply because the present system of public education exists. They think that everything should be done, consistently with a firm opposition to sectarianism (no matter by whom or in what form advocated) to enlist all classes of Irishmen in favour of a complete system of public education. But, in considering the question whether any and what change is to be made, it is not to be hastily assumed that those who drew up and sanctioned the Statutes of the Queen's Colleges, and recommended the University Charter, acted without great consideration for the feelings and opinions of those who were thought to be opposed to the Colleges. If, on a careful examination of the whole matter by those in authority, any modification of the existing system of Collegiate and University education shall appear practicable, it is submitted that, in accordance with the provision in the recent Charter, the intended modification should be referred to the Convocation of the Queen's University for their opinion before final approval. But if, on the other hand, any such modification shall appear impossible without destroying or endangering the cause of Non-Sectarian education, it would seem to be the solemn duty of those entrusted with the government of the country with firmness to refrain from change, and to maintain and develop a system which has been already fruitful in good to Ireland.

Signed on behalf of the Meeting,

DAVID ROSS, M.A., LL.B., *Chairman.*

HUGH HYNDMAN, LL.B.
HENRY BURDEN, M.A., M.D.
JAMES B. DOUGHERTY, M.A.
} *Hon. Secs.*

CORRESPONDENCE between the ROMAN CATHOLIC HIERARCHY and HER MAJESTY'S GOVERNMENT.

Archbishop CULLEN to Sir G. GREY.

Dublin, 14th January, 1866.

SIR,—I have the honour to forward to you two letters or memorials on Primary and University Education, on the part of the twenty-nine Roman Catholic Archbishops and Bishops in Ireland whose names are attached to them.

As so many Prelates living at considerable distances from each other wished to examine these memorials, it was necessary to get them printed, but not for publication.

Each prelate has attached his signature to a printed copy, similar to that which I send. I retain the copies with the original signatures.

If it be required that the memorials should be in manuscript, I shall have them copied, and get them signed by each prelate.

I enclose a written petition to Her Majesty, praying for a Charter for our Roman Catholic University, which the same twenty-nine Prelates have given me written authorization to sign on their behalf.

The memorials contain very little more than the statements which the four Archbishops had the honour of making to you in the interview which you granted to them, and in which they endeavoured to state, as briefly as possible, the many disadvantages pressing on Irish Roman Catholics in regard to education.

I humbly confide that a just and liberal Government will take our memorials into favourable consideration, and commence to remove the grievances which for a long series of years have weighed heavily on the education of Roman Catholics in Ireland.

I have, &c.

(Signed) ✠ PAUL CULLEN.

MEMORIAL on UNIVERSITY EDUCATION referred to in the foregoing Letter.

To the Right Honorable Sir GEORGE GREY, Bart., M.P., Her Majesty's Secretary of State for Home Affairs, &c., &c.

SIR,—We, the undersigned Roman Catholic Archbishops and Bishops in Ireland, having learned that it is the intention of Her Majesty's Government to make alterations in the system of University Education now existing in this country, beg respectfully to lay before you, and through you before Her Majesty's Government, the following observations on this important subject, in which the spiritual welfare of our flocks is deeply concerned:—

In the first place we have to observe, that the Roman Catholics of Ireland have long laboured under the greatest disadvantages with respect to education. In past times all their educational establishments were suppressed, and laws were enacted prohibiting them to establish schools at home, or to send their children for education to the Continent. The effects of this penal legislation still remain; and Catholics, deprived of the endowments of former times, are left without any institution supported by the State, in which they can, with safety to faith and morals, cultivate the higher studies and take out academical degrees.

Whilst the majority of the Irish people were thus suffering, great educational privileges were conferred by the State on the minority of the nation; and a Protestant University, with subsidiary institutions, was established and amply endowed.

Trinity College, or the University of Dublin, has landed property to the extent of 199,573 acres, or 100th part of the whole acreage of Ireland. These lands, valued according to the very reduced standard of 1851 at £92,360 per annum (Dub. Univ. Commis., 1853, p. 268, Evidence), are, it is stated, let at low rents; but still the income and influence derived from such extensive landed property must be considerable.

The advantages offered by an institution so richly endowed have always attracted great numbers to its lecture halls. At present there are 1,500 students on its roll, the fees received from whom are calculated to average the large sum of £30,000 a year (Dub. Univ. Commis., *ibid.*)

Not to speak of the amount originally expended in the erection of the College buildings, the Crown, at the petition of the Irish House of Commons, gave from time to time considerable sums for their extension. Thus, in 1698 we find a grant of £3,000, in 1709 of £5,000, in 1717 another of £5,000, in 1721 a third sum of £5,000, and in 1751 a fourth of the same amount, £5,000. In 1753 the grant was raised to £10,000, and in 1755 to £20,000. In 1757 a further grant was made of £10,000, and in 1787 of £3,000.—("Dub. Univ. Calendar for 1863," page 233 *et seq.*)

In addition to the large pecuniary resources possessed by the College, and the immense influence resulting from its extensive landed property, it has the right of presentation to twenty-one benefices, some of them with an income of over £1,000 a year.

The advantages enjoyed by the Protestant University of Dublin do not stop here; schools connected with it are scattered throughout Ireland, and possesses extensive property in lands, granted in part by the Crown, the Royal Schools, Endowed Schools, and Erasmus Smith's Schools. They may be considered as intended exclusively for the benefit of members of the Established Church, although a few boys of other religious denominations are occasionally admitted; and they serve very largely as feeders for the Protestant University. A great proportion of the heads and tutors of these schools are members of Trinity College; all the heads, with two or three exceptions, are clergymen of the Established Church; in fine, to these institutions are attached 153 Exhibitions for the pupils who pass from their halls to the University of Dublin.—("Thom's Official Directory for 1865," page 906.)

It is true that for the last few years Roman Catholics, as well as Protestant Dissenters, have been admitted to certain scholarships in the University of Dublin; but these are *non-foundation scholarships* ("University Calendar," page 18), giving no right to the University Franchise (*ibid.*), or to a share in the government of the College, which, according to the Royal Commission of 1853 ("Report," page 2), continues "a Protestant institution, in most of its essential characteristics," as it was at its foundation by Queen Elizabeth.

All the heads of Trinity College, the provost, vice-provost, fellows, scholars on the foundation, &c., are and must be members of the Established Church, and the provost, vice-provost, and nearly all the fellows are clergymen. Three Professorships in the University School of Physic, in accordance with a recent Act of Parliament, and some Professorships of a subordinate character, are indeed open to Catholics; but, as a matter of fact, all the Professors are Protestants with the exception of the Professor of Italian and Spanish.

Trinity College was founded by Queen Elizabeth as a bulwark of the Protestant religion in Ireland against Catholicity. Until the year 1793, all its students, as well as others belonging to it, were obliged to subscribe the Thirty-nine Articles. About 33 per cent. of its students even now are Divinity students of the Established Church; its whole teaching is based on the Protestant religion, the works it publishes are imbued with an anti-Catholic spirit, and several who entered its halls as Catholics, have, during their University course, or afterwards, forsaken the religion of their parents.

The Emancipation Act of 1829 having placed Catholics on a footing of civil and political equality with the rest of Her Majesty's subjects, it was manifest that the educational ascendancy of a minority could not long be maintained through the monopoly enjoyed by Trinity College.

The Queen's Colleges were established in 1847, with the avowed object of affording to all classes in Ireland University Education on equal terms. Over £200,000 have up to the present been expended on the buildings, furniture, and repairs of these Colleges, the sum annually voted by Parliament for their support is over £24,000, and £1,800 a year is granted to the Queen's University, which exists altogether for their advantage.

Notwithstanding this profuse expenditure, the Queen's Colleges have, as far as Catholics are concerned, not only failed to attain the object for which they were founded, but have been gradually drifting into Protestantism. Belfast College is almost exclusively Presbyterian, and in Cork and Galway, although situated in Catholic districts, the great majority of the heads and professors are Protestants of various religious denominations.

If the Queen's Colleges had corresponded to the objects for which they were established, the great majority of the students should be Catholics, who are 77 per cent. of the inhabitants of Ireland, not Protestants, who are only 23 per cent. of the population, and are amply provided for in Trinity College. But what is the fact? More than 75 per cent. of the students of those Colleges are Protestants, whilst less than 25 per cent. profess the faith of the great majority of the people, a proportion totally inadequate to represent the number of Catholics who, by their social position and preliminary studies, have a right to aspire to a University education. We may add that even of this minority of Catholic students a considerable number frequent the Queen's Colleges, yielding to the pressure of necessity, or tempted by the abundant allurements held out to them. Hence, whether we take into account the total population of this country, or the large sums expended on those Colleges, the number of young men of all denominations attending them is so inconsiderable that they must be admitted to be a signal failure.

The result of the mixed system of education in the Queen's Colleges, excluding, as it does, the influences of religion, is, we believe, to train the youthful mind in indifferentism to every creed and in practical infidelity, which tend to subvert the throne as well as the altar. We have, therefore, deemed it our duty, in accordance with the teaching of our Church, and the wisdom of this teaching is confirmed by experience, to declare these institutions replete with grave and intrinsic danger to the faith and morals of our flocks. Under these circumstances Catholics have no confidence in them, and can never, consistently with their religious principles, accept them.

We cannot leave this subject without referring to some restrictions with respect to persons aspiring to the learned professions, and they are very considerable, restrictions which tend to force Roman Catholics into one of the two legally recognised Universities.

In 1861 there were in Ireland 6,360 Catholic young men receiving a superior education ("Census, 1861"). Now upon this large number of Catholics, any one of whom may aspire to a liberal profession, the following unfair terms are proposed by those who would maintain in education an ascendancy which the legislature long since abolished in civil and political life, or would give educational equality at the cost of conscience.

All graduates of Trinity College, or of the Queen's University, can be called to the bar at the end of *three* years, while non-graduates cannot be called until the expiration of *five* years from the date of their registration as law students.

Graduates are obliged to attend only *two* courses of lectures, *either* at the King's Inns, Dublin, or at Trinity College, *or* (in the case of students of the Queen's University) at any of the Provincial Colleges, while non-graduates are required to attend *four* courses, viz., two at the King's Inns, and two others at Trinity College. Moreover, graduates are required to attend *twelve* terms' commons, viz., six in the King's Inn, and six in any Inn in London, while non-graduates are required to attend *seventeen* terms' commons, viz., nine in the King's Inns and eight in England. Finally, the fees payable by graduates are less than those imposed upon non-graduates.

With regard to the apprentices of solicitors and attorneys, all matriculated students of Trinity College and of the Queen's Colleges are exempt from the preliminary examination imposed upon others. If graduates, they are admissible to the practice of their profession two years sooner than non-graduate apprentices; and are exempt from one of the courses of lectures appointed by the Benchers for such apprentices.

All Catholics aspiring to the professions just mentioned must submit to these inconveniences, or if they wish to avoid them, must enter a University founded to maintain the ascendancy of the Established Church in Ireland, or Institutions condemned by their own Church. It is to be added that these unfair conditions are imposed quite irrespectively of proficiency in literature, science, or law.

With respect to the medical profession, everyone knows the high value practitioners and the public set on the degree of "Doctor of Medicine." But no person can obtain that high distinction in Ireland without becoming a member of one of the two Universities recognised by law; and Catholic medical students must either give up all chance of that honour and professional advantage, or trample under foot their self-respect, by entering, contrary to their religious principles, one of the institutions which their Church condemns.

As to professors in colleges and tutors, besides the injustice to the persons themselves, everyone must see the injury inflicted on the education of the nation at large, when more than one-half of the teachers in superior schools and colleges are obliged to forego a University education, or to secure it at the risk of endangering the most important interests.

It being evident from the statements just made that the existing institutions recognised by the State do not put University education within the reach of Irish Roman Catholics on terms of which they can safely avail themselves, or on principles approved by their religion, we, their pastors, aided by their generous contributions, determined to supply this great want, and established the Catholic University of Ireland.

For the foundation and maintenance of this institution we have within the last few years collected a sum of 125,000*l*. We have purchased premises in the City of Dublin, gathered together a library of about 30,000 volumes, scientific collections, &c., and appointed a body of professors of great eminence.

The institution thus established comprises five faculties, viz., theology, law, medicine, philosophy and letters, and mathematical and physical science, and is presided over by a rector named by ourselves and removable at our pleasure. While retaining in our own hands the supreme authority we have delegated to twelve of our body the immediate government of the institution; but we leave to the rector and to the University the direction of all academical matters. In the exercise of his office the rector is assisted by a Council, consisting of the deans of faculties and some other members of the academic body, and at stated times he is obliged to lay before us a full report of the working of the institution. In fine, every possible means is taken to secure a succession of the most distinguished professors. Our University, therefore, while affording to Catholics the best religious guarantees, will offer them all the advantages of the highest literary and scientific education.

Several of its students are at present studying philosophy and letters, science, or medicine, under the immediate care of its Professors in Dublin; others, having passed a matriculation examination before the Examiner appointed by the authorities of the University, are pursuing their studies in Colleges or Schools, of which twenty-four in various parts in Ireland are connected with it. In these Schools they prepare for further examinations, and compete for some of the prizes and honours of the University, passing into residence in Dublin at a later period of their course, should they desire to do so.

Cramped, however, in many ways, and especially by its inability to give degrees recognised by law, our University has had to encounter serious difficulties. The injurious effects of the restrictions imposed upon

it may best be estimated by considering the development of its only branch which was in some measure free from them. In the faculty of Medicine, the certificates of the Professors of our Medical School being recognised by the various licensing bodies, the number of students attending lectures (at present 93), nearly equals, and in some sessions has exceeded the number in the School of the richly-endowed University of Dublin. The growing disposition, however, of the authorities in the army, navy, and other departments of the public service, not to rest satisfied with a mere medical licence, but to require a University degree, has already begun to operate injuriously on this branch too of our Institution.

Considering these, and the other circumstances we have mentioned, and calling to mind all the past sufferings and privations to which Catholics have been subjected, we respectfully submit that our University is entitled to all the privileges conferred upon other academical institutions, and especially to that of conferring academical degrees, a privilege enjoyed for nearly 300 years by the Protestant University of Dublin, for the advantage of a small minority of the people of Ireland.

However, understanding that Her Majesty's Government does not intend for the present to advise Her Majesty to grant us what we have a claim to, but proposes to introduce modifications in the existing system of academical education, which will enable Catholic students to obtain University degrees without that sacrifice of principle or conscience of which we complain, we shall be thankful for such changes if they do not interfere with Catholic teaching, and if they tend to put us on a footing of equality with our fellow-subjects of other religious denominations. While expressing these feelings, we deem it our duty again to declare emphatically our condemnation of the system of united academical education on which the Queen's Colleges are founded, and which, in accordance with the repeated declarations of our Church, we hold to be intrinsically dangerous to the faith and morals of Catholics.

In the changes referred to, as we understand them, we recognise a token of the willingness of Her Majesty's Government to grant an instalment of the justice in educational matter to which our flocks are entitled; but, if unaccompanied by an endowment of our Catholic University, and a reconstruction of the Queen's Colleges, we cannot regard them as satisfactory to the Catholics of Ireland. If Trinity College, with its immense wealth and influence, is left as it is in Protestant hands and for Protestant education; if the Queen's Colleges are left as they are, largely subsidized by the State for State education; and if at the same time Catholics, who are taxed for the support of these same Queen's Colleges, have further to tax themselves for the support of the Catholic University, they are not treated with justice, nor placed upon a footing of equality with others. Without an endowment, the proposal of the Government would confer but little, if any, substantial benefit upon our Catholic University; for degrees can be obtained through the London University, and property can be acquired and transmitted without a Charter by availing of certain legal expedients. Without re-arranging the Queen's Colleges on the principles of the denominational system, so as to meet the conscientious objections of Catholics, much of the evils and injustice of which Catholics complain will remain unredressed. These Colleges will continue to be, what they are, a failure as regards the purpose for which they were originally intended—the education principally, though not exclusively, of Catholics—and a failure costing the public £24,000 per annum. They will continue to hold out their scholarships, prizes, &c., as so many bribes to Catholic young men to induce them to become disobedient children of their own Church; and they will continue to be a standing cause of disunion between the Catholic Bishops of Ireland and the Government of the country, which policy, not to speak of any other consideration, would put an end to. With our Catholic University unendowed, and with other university arrangements still hostile to us, the proposal of the Government could not, we respectfully repeat, be regarded as satisfactory to the Catholics of Ireland.

But, looking on the proposal of the Government as an earnest of goodwill towards our flocks in the matter of education, we profess our willingness to co-operate, as far as we can, in carrying it out, because we entertain the confident expectation that, when the Government come finally to consider it, they will embody in it the following concessions:—

1st. That the University founded by the Roman Catholic Bishops will be chartered as a college within the new University, in such a manner as to leave the department of teaching Catholics altogether in the hands of Catholics, and under the control of their Bishops, its founders.

The following draft of a Charter, borrowed in its main details from that of King's College, London, would, in our opinion, be suited for the Catholic University College, as it embodies the system on which it has been conducted for several years:—

"Draft of Charter."

"Whereas it has been represented to us by N. N. that there has existed during the last eleven years, and does now exist in our Kingdom of Ireland, in the city of Dublin, a literary and scientific institution, established for the higher education of youth, and known under the style and title (or commonly called) 'The Catholic University of Ireland;' and whereas the said Institution comprises classes of instruction in science and literature, taught by able Professors, and frequented by a large number of students, and possesses extensive and valuable libraries, rich and costly collections requisite for imparting a knowledge of the sciences, &c.: And whereas considerable sums of money have been subscribed and collected for carrying on the said undertaking: And whereas it has been set out in the petition presented to us, that the said undertaking would be more effectually prosecuted, and that complete success would be the more easily attained, if it were protected by our Royal Sanction, by means of a Royal Charter of Incorporation," &c., &c., &c.

"That for the purpose of establishing and maintaining the said College, to be called 'The Catholic or Roman Catholic University College of Ireland,' the four Roman Catholic Archbishops, exercising jurisdiction in Armagh, Dublin, Cashel, and Tuam, for the time being respectively, shall by virtue of their respective offices be perpetual Governors of the said College.

"That in addition to the perpetual Governors hereinbefore named, the Right Rev. John Derry, D.D., Roman Catholic Bishop; the Right Rev. John Kilduff, D.D., Roman Catholic Bishop; the Right Rev. Dominic O'Brien, D.D., Roman Catholic Bishop; the Right Rev. James Walshe, D.D., Roman Catholic Bishop; the Right Rev. Laurence Gillooly, D.D., Roman Catholic Bishop; the Right Rev. Thomas Furlong, D.D., Roman Catholic Bishop; the Right Rev. Michael Flannery, D.D., Roman Catholic Bishop; and the Right Rev. John Pius Leahy, D.D., Roman Catholic Bishop; and such persons to the number of eight (but no more), as shall from time to time hereafter be nominated in their stead, in the manner hereinafter mentioned, shall be Governors for life of the said College.

"That the various branches of Literature and Science, of Medicine, and of Law, shall be taught in the same College, under the superintendence of a Rector or other Head, Vice-Rector, Professors and Tutors, or such other Masters or Instructors as shall from time to time be appointed in the manner hereinafter mentioned.

"That the four Roman Catholic Archbishops, for the time being, shall be Visitors of the said College, and their authority be supreme in questions regarding religion or morals, and in all other things in the said College.

"That whenever a vacancy shall occur in the office of Life Governor the *ex-officio* Governors shall, by writing, nominate such other person as to them shall seem meet to be a Governor for life.

"That the Governors shall appoint the Rector and Vice-Rector.

"That there shall be five Faculties in the College, viz.:—Theology, Law, Medicine, Philosophy and Letters, and Mathematical and Physical Science.

"That each Faculty consist of all the Professors actually engaged in teaching in its own Department, and of as many other persons skilled in the subject-matter of that Faculty, as to the Governors, having consulted the Faculty, shall seem meet.

"That each Faculty shall annually elect a Dean, subject to the Rector's approval; and that he shall be re-eligible.

"That each of the Faculties shall be empowered to make and change rules and statutes regarding the government and advancement of its own Department, subject to the approval of the Governors.

"That they shall hold examinations, and be the *ex-officio* advisers of the Governors in all matters appertaining to their several Departments.

"That whenever a Professorship shall have to be filled up, the Rector, having consulted the Faculty in which the vacancy occurs, shall present to the Governors the names of at least three candidates, to be determined by published works, or public reputation, or, if it seem fit to the Governors, by public examination.

"That the perpetual Governors, Life Governors, Rector, Vice-Rector, and Faculties, be constituted one body, politic and corporate, to be called 'The Catholic (or Roman Catholic) University College of Ireland.'

"That the Governors for the time being shall have full power, from time to time, to appoint, and as they shall see occasion to remove, as well the Rector, Vice-Rector, the Professors, and other members of the Faculties, the Tutors and Masters, as also the Secretary, and all officers, agents, and servants of the said College.

"That there shall be a Council of the College, consisting of the Rector, Vice-Rector, five Deans of Faculties, a Dean of Discipline, and three other members of the Corporation, the last four to be selected by the Governors; and that five form a quorum.

"That, subject and without prejudice to the powers given by this Charter to the Visitors and Governors, the Council for the time being shall have, with the exception of finances, the entire management of, and superintendence over, the affairs of the College; and in all cases unprovided for by this Charter, it shall be lawful for the Council to act in such manner as shall appear to them best calculated to promote the welfare of the College; provided always, that all their acts shall be submitted, at least once each year, to the Governors and Visitors, and that no act of theirs shall be of any weight or value, if, within twelve months after it has been submitted, it be deemed by the said Governors or Visitors injurious to religion or morals, or otherwise of detriment to the College.

"That the four Visitors shall be the Trustees of all property belonging to the College.

"That the Governors shall have the power of appointing a Treasurer or Treasurers, and that there shall be an audit of accounts at appointed times.

2ndly. That in order to place this new Catholic College on a footing of equality with other institutions, a suitable endowment be given to it; since it will be frequented by the great mass of Catholics and it would be manifestly unfair to oblige them to tax themselves for the support of their own College, while institutions which they on conscientious grounds condemn and shun are supported out of the public funds, to which they contribute equally with others.

3rdly. That for the same reason Burses and Scholarships be provided, either by the application of existing, or the erection of new endowments, so as to place the rewards of merit equally within the reach of all.

4thly. That the Catholic University College be empowered by charter to affiliate Colleges and Schools to itself.

5thly. That the tests of knowledge be applied in such a manner as to avoid the appearance of connecting, even by the identity of name, those who avail themselves of them, or co-operate in applying them, with a system which their religion condemns.

6thly. That these tests of knowledge be guarded against every danger of abuse, or of the exercise of any influence hostile or prejudicial to the religious principles of Catholics; that they may be made as general as may be consistently with a due regard for the interests of education, the time, manner, and matter of examinations being prescribed, but not the books or special authors, at least in mental and social science, in history or in cognate subjects; and that, in a word, there be banished from them even the suspicion of interference with the religious principles of Catholics.

7thly. That the Queen's Colleges be re-arranged on the principles of the denominational system of education.

In concluding this communication, we beg you to lay before Her Majesty the accompanying Memorial for a Charter for our College, and to pray that Her Majesty will be graciously pleased to grant its petition.

We have, &c.,

✠ PAUL CULLEN.
✠ P. LEAHY.
✠ C. DENVIR.
✠ E. WALSH.
✠ JOHN DERRY.
✠ WILLIAM KEANE.
✠ P. FALLON.
✠ D. MORIARTY.
✠ D. O'BRIEN.
✠ L. GILLOOLY.
✠ THOMAS FURLONG.
✠ M. O'HEA.
✠ GEO. BUTLER.
✠ THOMAS NULTY.
✠ N. POWER.
✠ JOSEPH DIXON.
✠ JOHN CANTWELL.
✠ THOMAS FEENY.
✠ W. DELANY.
✠ F. KELLY.
✠ P. DURCAN.
✠ JOHN KILDUFF.
✠ J. P. LEAHY.
✠ JAMES WALSHE.
✠ D. M'GETTIGAN.
✠ JOHN M'EVILLY.
✠ P. DORRIAN.
✠ NICHOLAS CONATY.
✠ JAMES DONELLY.

The above letter has been agreed to and signed by the Roman Catholic Prelates whose names are attached to it.

(Signed) ✠ PAUL CULLEN,
Roman Catholic Archbishop.

Dublin, 14 January, 1866.

(NOTE.—*Reprinted from Parliamentary Paper* 84 *of the year* 1866.)

CORRESPONDENCE of the ROMAN CATHOLIC HIERARCHY with Lord MAYO in 1868 (*referred to in the Statement at page* 56).

[*Mem*:—On the 24th March Dr. Leahy and Dr. Derry, after a lengthened interview with Lord Malmesbury and Lord Mayo at the Irish Office, in which they stated their views, agreed to put their opinions in writing, which will be found in the following letter.]

The Most Rev. Dr. LEAHY and Dr. DERRY to Lord MAYO.

Thurles, March 31, 1868.

MY LORD,—Having been deputed by the Roman Catholic Prelates of Ireland to treat with Her Majesty's Ministers concerning a charter and endowment for the Catholic University of Ireland, we had the honour of a personal interview with your Lordship and the Right Honorable the Earl of Malmesbury, in which we submitted our views respecting the plan of a Catholic University announced by your Lordship in your place in Parliament, and more fully developed in the course of the explanations which passed between us on the occasion of our interview.

Having been requested by your Lordship to commit to writing the views which we put forward in conversation, we now beg to submit the following statement, premising that it is not intended to be a complete draft of the plan of a Catholic University independent of foregone explanations; but, assuming as understood those parts of the plan with reference to which no difference

of opinion was expressed, it sets out the alterations which we think it desirable or necessary to have made in the project as presented to us. Whilst we state our opinions, and offer suggestions with respect to the special plan proposed by your Lordship's Government, we wish to say in passing that the plan most acceptable to the Catholic Prelates of Ireland would be a modification of the existing Catholic University.

And, first, the new University, we are decidedly of opinion, ought to be not simply a University for holding examinations and conferring degrees, but ought furthermore to be a teaching University, having its own full staff of Professors, men of the highest mark in every department of letters and science, who should deliver courses of University lectures open to the students of the several Colleges affiliated to the University. By delivering and publishing lectures such eminent Professors would not only maintain a high standard of excellence in the University's own academic halls, and in those of the Colleges affiliated to it, but would, moreover, excite a wholesome rivalry throughout the republic of letters. Furthermore, it is avowedly in the contemplation of Government to create a University which from the outset shall be able to enter into active competition with the older Universities. But without a full staff of eminent University Professors, the realization of the benvolent and enlightened views of the Government would be simply an impossibility. The Senate would, as a matter of course, appoint the University Professors.

Besides teaching through its own Professors, the proper functions of the University would be to determine the subjects of all University examinations, matriculation, middle, and degree, to appoint University examiners, to confer degrees to determine what Colleges should be affiliated to it, &c., &c.

That the whole system of the University and its affiliated Colleges may work harmoniously, it is necessary clearly to define, from the outset, their mutual relations. Highly approving of the principle of independence upon which the Government proposes to found the University, we conceive that the same principle of independence ought to be extended to the affiliated Colleges in relation to the University. The Colleges ought to be perfectly free as regards their internal concerns, the appointment of Rector, Professors, and other officers, the course of studies, the rules and regulations: in a word, they ought to be wholly independent of the University in everything except what might appertain to University examinations, and the conferring of degrees. Whilst none of the purposes of a University on the one hand, nor the interest of the Colleges on the other, demand any further control over the Colleges on the part of the University, to vest in the Senate the power even of a simple veto on the appointment of the Professors or other officers of the Colleges would be not only uncalled for, but an undue interference with the freedom of the Colleges. It would be scarcely justifiable in the supposition that the Colleges would be unendowed by the State. It is only on the strength of an endowment that the State, acting through the University, could pretend to any right to inquire into, not to say to interfere in, the internal concerns or administration of the Colleges.

The constitution of the University as proposed by Government is, that the Senate shall consist of twenty members—a Chancellor, Vice-Chancellor, four Roman Catholic Bishops, the President of Maynooth College, six laymen, five representatives of the University faculties, and the heads of Colleges affiliated to the University. It will be observed that the fixed members are eighteen in number, and that, if twenty be the whole number of members, there will be room only for two heads of affiliated Colleges. Believing it was not meant to limit that class of members to two, we respectfully recommend that all heads of affiliated Colleges be members of the Senate. They would be the natural bonds of union between the University and the Colleges.

In a Roman Catholic University the Chancellor should be a Bishop. Though in a mixed University that high office might be fitly open to laymen, in a professedly Catholic University, it is not so; for the ecclesiastical dignity of a Bishop would insure for him as Chancellor deference and respect, as well as inspire a degree of confidence that might not be so readily yielded to a layman or an ecclesiastic of the second order. The eligibility of Bishops alone to the office of Chancellor is attended with this further advantage—that it would be much less difficult to determine the relative pretensions of Bishops than of the far greater number of distinguished laymen scattered up and down through the country, besides that there would be less room for rivalry and for the clashing of opinions. In the Irish Roman Catholic Hierarchy there is at present one who, as Cardinal, ranks first, the Cardinal Archbishop of Dublin, and who, irrespectively of his high rank, is eminently fit to fill the office of Chancellor. It is respectfully submitted to the Government that he should be appointed the first Chancellor of the new University.

We are strongly of opinion that, after the first nomination by the Crown, the Chancellor should be elected by the Senate, not by Convocation. A vacancy in the Chancellorship might occur before a body of graduates would have grown up to furnish what must be nominally the chief element of Convocation. And, when that body would have grown large enough to be worthy of the name of Convocation, it would be inexpedient to leave to its suffrages, influenced, perhaps, by other considerations than that of the public interest, the selection of a person to fill the highest office in the University. It would be inexpedient, too, for this further reason, that, the body of graduates being the dominant power in Convocation, and having to choose between Bishops, any contention between them as to the relative merits of Bishops, anything like a pitting of Bishop against Bishop, would be not only very inconvenient, but unseemly in the highest degree. The more limited, the more experienced, and the graver body of the Senate is much to be preferred for a trust in every way so important. We purpose no alteration as regards the mode of appointing the Vice-Chancellor.

We ask that the election of the six laymen, who are to be members of the Senate, shall, after the first nomination by the Crown, rest with the Senate itself, and not with Convocation. The reasons already assigned for a like alteration in the plan, as regards the election of Chancellor, for the most part apply to that now proposed, and perhaps some of them with even greater force. It is natural to think that a better selection would be made by the mature unimpassioned judgment of the Senate, comprising, as it would, the representatives of the University faculties, the heads of the affiliated Colleges, the President of the College of Maynooth, the four Bishops, the Chancellor and Vice-Chancellor, than would be made by graduates, young men swayed, perhaps, by political or personal influences, by party feeling, passion, or prejudice.

In the course of your lordship's statement, you observed that the presence in the Senate of four Bishops, and of the President of Maynooth College, together with the circumstances that all the members of the Senate should be Roman Catholics, afforded a sufficient guarantee for the safety of faith and morals. We duly appreciate the desire of the Government to provide an adequate guarantee for that purpose, and on behalf of the Irish Bishops we very willingly record their sense of the kindly disposition thus evinced. But it is our duty to state, for the information of Her Majesty's Government, that the safety of faith and morals in the University can only be secured by recognising in the Bishops as members of the Senate the right, which as Bishops they possess, and which all Catholics must acknowledge them to possess, of pronouncing authoritatively on matters of faith and morals. That right belongs to them, and to them alone, as compared with laymen, and even ecclesiastics of the second order. According to the doctrine and discipline of the Catholic Church, it is not competent for laymen—not even for clergymen of the second order—however learned, to judge authoritatively of faith and morality. That is the exclusive province of Bishops. As faith and morality may be injuriously affected either by the heterodox teaching of Professors, Lecturers, or other officers, or by their bad moral example, or by the introduction of bad books into the University programme, the very least power that could be claimed for the Bishops on the Senate, with a view to the counteraction of such evils, would be that of an absolute negative on such books, and on the first nomination of Professors, &c., &c., as well as on their continuing to hold their offices after having been judged by the Bishops on the Senate to have grievously offended against faith or morals. It will be observed that the power here claimed relates solely to matters intimately connected with morality and doctrine.

This will be better understood by supposing a case in which the power claimed for the Bishops would come into play—the case of a candidate for a University Chair, judged by the Bishops to be of unsound faith; if they have not the power to pronounce him ineligible,

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if he be elected to the office against their protest, as he might be, supposing them not to have at least the power of a veto on his appointment; a Professor declared to be unsound in faith would be placed in a position to teach false doctrine in a Catholic University, governed by a Senate of which four Bishops would be members. It could not have been intended that the faith of Catholics—and what is said of faith may be said of morals—should be thus openly outraged; on the contrary, we are well assured that the Government, in proposing the plan of a Catholic University, desired and desires that it should be so framed as to be conformable to the doctrine and discipline of the Catholic Church, and that in its constitution Catholic students should have adequate security for their faith and morals. It is, as already stated, an essential part of that doctrine and of that discipline that Bishops, and Bishops alone, should pronounce with authority upon matters involving faith or morality; and, therefore, however strange it might at first sight appear to recognise in the Episcopal members of the Senate, a special power denied to their fellows on the Senate, it is not only reasonable, but necessary, once we assume that it is the purpose of Government, as we believe it is its purpose, to found a Catholic University on Catholic principles, or, at least, in conformity with them.

Should Protestants, or persons of a religious denomination other than the Roman Catholic, become students of the University, or of any of its Colleges, we are not against providing in the constitution of the University that they should not be required to attend any Roman Catholic observance, or to be present at any religious lecture or teaching, to which they or their parents or guardians might object. Whilst such security is provided against any undue interference with their religious belief, it would, on the other hand, be unreasonable, as well as inconsistent with the idea of a Catholic University, to deny or to restrict the liberty of the Professors to treat in a Catholic sense of History, Ethics, Law, or other subjects, in so far as they have a special bearing on religion or religion on them. To preclude the Professors from so dealing with such subjects in a professedly Catholic University or College, would be to introduce there the principle of abstention from special religious views which characterizes mixed Universities and Colleges, and which is a necessity growing out of their constitution.

For the present, appreciating the difficulty Government might experience in carrying an endowment for the Colleges affiliated to the University, we abstain from pressing for such endowment; though, so long as Trinity College possesses immense wealth, and the Queen's Colleges receive £26,000 a year from the public purse, the claim of the Catholics of Ireland to a liberal endowment for the purposes of academical education is unquestionable. But on the supposition that the University shall have a full professional staff, as already recommended, it follows as a matter of course that provision should be made for the payment of their salaries, for lecture halls, and for the scientific, and other apparatus required for their teaching. And, for the better encouragement of the cultivation of letters and science, the University must needs have at its disposal a fund for the foundation of Scholarships and the distribution of prizes. It is unnecessary to allude to ordinary University expenses, such as the payment of University Examiners and officers, the charges incident to the holding of examinations, &c., &c. Without such expenses the University could not act, or even exist.

We have, &c.,

(Signed), ✠ PATRICK LEAHY, Archbishop, &c.
✠ JOHN DERRY, Bishop.

MEMORANDUM drawn up by the Earl of MAYO, and transmitted to the PRELATES in an earlier Letter of this Correspondence.

The Roman Catholic Bishops and Archbishops of Ireland, in a letter to Sir George Grey, dated January 14, 1866, and published in Parliamentary Paper 84, Session 1866, make the following statement:—

"We have to observe that the Roman Catholics of Ireland have long laboured under the greatest disadvantages with respect to education. In past times all their educational establishments were suppressed, and laws were enacted prohibiting them to establish schools at home, or to send their children for education to the Continent. The effects of this penal legislation still remain; and Catholics, deprived of the endowments of former times, are left without any institution supported by the State, in which they can, with safety to faith and morals, cultivate the higher studies and take out academical degrees."

They further say that Trinity College was founded by Queen Elizabeth as a bulwark of the Protestant religion—is largely endowed; and they state in detail the particulars of that endowment.

They then refer to the Queen's Colleges established in 1847, and express in the strongest terms their disapproval of the course and system of instruction given therein.

They further state the advantages which graduates of Trinity College and the Queen's Universities are entitled to by their degrees, and say that "all Catholics aspiring to the professions just mentioned must submit to these inconveniences, or if they wish to avoid them must enter a University founded to maintain the ascendancy of the Established Church in Ireland, or institutions condemned by their own Church. It is to be added that these unfair conditions are imposed quite irrespectively of proficiency in literature, science, or law.

"It being evident from the statements just made that the existing institutions recognised by the State do not put University Education within the reach of Irish Roman Catholics on terms of which they can safely avail themselves, or on principles approved by their religion, we, their pastors, aided by their generous contributions, determined to supply this great want, and established the Catholic University of Ireland."

They then describe the position of the institution, and recommend that a Charter should be granted to it, a draft of which they enclose.

Sir George Grey states in his letter of the 10th of January that, having had under their consideration the draft of the Charter contained in the memorial, Her Majesty's Government regret that they are unable to grant it in the form in which it is proposed; but state further that if the Roman Catholic University is to receive a Charter from the Crown, in the opinion of Her Majesty's Government it should not be entirely composed of ecclesiastics, and should contain a considerable number of laymen.

Sir George Grey further says that the Government hope that no practical difficulty will be found in a revision of the terms of the Charter, with a view to meet the objections to the form in which it has been proposed, and further expresses his willingness to suggest the form in which they think the Charter might properly be granted.

In a letter of the 14th February, Sir George Grey states that he hopes in a short time to be able to comply with Archbishop Cullen's request by transmitting him a copy of the new Charter for the University.

It does not appear from the correspondence that any further steps were taken in the matter.

The supplemental Charter of the Queen's University was, however, subsequently granted.

This resulted in complete failure, as the injunction granted in the Rolls Court, Dublin, prohibiting the Senate from making any use of it, has been made perpetual.

Admitting, therefore, that a just claim exists for the creation of a University of a denominational character, which should offer to those whose conscientious scruples prevent them taking the advantage of the instruction offered in Trinity College or the Queen's Colleges, it is proposed to found a new University, which should, as far as circumstances would permit, stand in the same position to Roman Catholics that Trinity College does to Protestants; that is to say, that the Governing Body should consist of, and the teaching should be conducted mainly by, Roman Catholics, but that full security should be taken that no religious influence should be brought to bear on students who belonged to another faith.

It is not intended to reproduce exactly a counterpart of Trinity College, but it is considered to be indispensable that a lay element of much power and influence should be introduced into the governing body of the new University.

It is most desirable that the character and composition of this body should be settled at the outset, so that the institution should be based on clear and intelligible principles.

The success of a University depends very much on its independence, its self-reliance, its autonomy. Direct Government control over the conduct of a great educational institution would not in this country be successful.

If, therefore, a Roman Catholic University is founded, it should be constituted in such a manner as, while it would be almost independent of State control, it would be subject to the constant influence of public opinion, and governed by a body who, acting in the light of day, would be likely to frame its rules and conduct its teaching so that the new University would enter at once into active competition, on equal terms, with the older Universities of the world.

The proposal now made is as follows:—

That a Charter for a Roman Catholic University should be granted to the following persons, to be named in the Charter:—A Chancellor, a Vice-Chancellor, four prelates, the President of Maynooth, six laymen—the heads of the Colleges proposed to be first affiliated,—and five members to be elected one by each of the five faculties in the affiliated College or Colleges. The respective faculties in the Colleges voting separately as regards the faculty, but the members of the same faculty in the several Colleges voting together.

This would be the constitution of the first Senate.

The future Senate should be formed as follows:—

A Chancellor to be elected by Convocation. A Vice-Chancellor to be appointed by the Chancellor. Four prelates to be nominated by the Roman Catholic Hierarchy, the President of Maynooth. Six laymen to be elected by Convocation—the heads of the affiliated Colleges. Five members elected by the faculties, as before mentioned. The Senate would be twenty in number, all being members of the Roman Catholic Church. Convocation to consist of the Chancellor, Senate, Professors, and graduates.

To the University thus constituted should be given the power of granting degrees, of holding University examinations, of determining what Colleges should be affiliated to itself, the course of study to be pursued, and the subjects of examination in the middle and degree examinations; but leaving to the Colleges the appointment of their Rectors, Professors, &c., subject only to the approval of the Senate. With regard to the Colleges, the utmost freedom should be given, the only condition made being, that while religious instruction might be freely imparted to Roman Catholics by the Professors and Fellows, no student of another faith should be required to attend any Catholic religious observance, or should be subject to teaching in any religion except his own.

Until the Colleges are firmly established it may be proper to postpone the question of endowment. It is one of great difficulty, and need not form an indispensable portion of the plan.

It may, however, be necessary to ask Parliament to provide a sufficient sum for the payment of the expenses of the examinations, for the foundation of a certain number of University Scholarships, and the giving away of prizes; and also the payment of the salaries of certain officers and servants of the University, and perhaps some provision for a University hall and examination rooms.

Earl of MAYO to the Most Reverend Archbishop LEAHY.

Irish Office, London, 11 May, 1868.

MOST REVEREND SIR,—I have the honour to inform you that I have brought your letter of the 31st March under the consideration of Her Majesty's Government, who have given to its contents their most careful attention.

I regret that unavoidable delay has occurred in sending a reply, as it was impossible for the Government to consult upon the matter before the Easter recess, and my return to London only took place on the 27th ultimo.

The alterations which you suggest in the plan for the creation of a new University proposed by the Government are very important, and may be shortly described as follows:—

1. That the veto of the Senate of the University over the appointment of the Professors and other officers of the affiliated Colleges is uncalled for, and ought not to be maintained.
2. That the Chancellor should always be a Prelate.
3. That the first Chancellor should be Cardinal Archbishop Cullen.
4. That the Chancellor should, after the first nomination by the Crown, be elected by the Senate, and not by Convocation.
5. That the election of the six lay members of the Senate should rest with that body, and not with Convocation.
6. That the episcopal members of the Senate should have an absolute negative on the books included in the University programme; and on the first nomination of the Professors, Lecturers, and other officers, and that they should also have the power of depriving them of their offices should they be judged by the Bishops to have done anything contrary to faith and morals.

It appears to Her Majesty's Government that the adoption of these suggestions would materially alter the character of the proposal made by me in the House of Commons, which was to create a University having for its principal object the education of the lay members of the Roman Catholic Church, and their preparation for entrance into the various professions, civil or military. The clerical and lay elements being each adequately represented in the governing body, and the offices being filled up as far as possible by a system of free election.

With regard to the first proposal, Her Majesty's Government think it to be indispensable that the appointment of all heads or Professors of the affiliated Colleges should be subject to the approval of the governing body of the University.

This is considered to be necessary, in order to secure unity of action and uniformity of practice between the Colleges and the University, which is to be their centre and head.

The second proposal is, that the Chancellor of the new University should be a Bishop.

This, in the opinion of Her Majesty's Government, would be inconsistent with one of the fundamental principles of such an institution, namely, that the future head of the governing body should be elected by the University at large.

It would be impossible to recognise fully this principle were the choice of the electors to be limited to the members of any single profession or class.

In the nomination of the first Chancellor it was intended to name a layman of rank, influence, and position.

Her Majesty's Government are of opinion that ample provision is made for the admission to the Board of the members of the Hierarchy, and they are not disposed to add to the number of the Bishops already named in the proposal.

It would be impossible, also, to consent to the proposal that the future Chancellor should be elected by the Senate and not by Convocation.

Her Majesty's Government believe that the high officer who is to preside over the University should derive his power and influence by free election from the whole body of the graduates, and the Government cannot think that any arrangement would be satisfactory which would exclude any of the members of the University from taking part in the election of the individual who is to fill the highest office in the institution.

Her Majesty's Government attach great importance to the election of the six lay members of the Senate by the whole body of Convocation; and they consider that a governing body, which would have the power of filling up vacancies amongst themselves without reference to the University at large, would not command that public confidence which is so essential in the constitution of such an assembly.

The proposition that the episcopal members of the Senate should possess any power greater than that of their lay colleagues, is one that Her Majesty's Government cannot entertain.

It would establish a system of education essentially different from that which was intended, and, therefore, the Government cannot agree to give to any of the members of the Senate a power over teaching, books, discipline, or appointments which is not enjoyed equally by all.

The object of the Government was to create an institution which, although denominational in its character, would be thoroughly independent, self-governed, and free from any external influence, either political or religious.

The proposals made in your letter would strike at the very root of these principles, and I am, therefore, with extreme regret, obliged to inform you that the recommendations contained in that letter cannot be entertained.

I have, &c.,

(Signed), MAYO.

The Most Rev. Archbishop Leahy.

(NOTE.—*Reprinted from Parliamentary Paper* 288 *of the year* 1868.)

DOCUMENTS, VII.

FURTHER CORRESPONDENCE on the subject between the Most Rev. Archbishop LEAHY and the Right Rev. Bishop DERRY, and the Earl of MAYO.

Thurles, 16 June, 1868.

MY LORD,—It is but due to ourselves to call your attention to the explanations recently given by yourself in answer to Sir John Gray's question, and by another noble Lord in the Upper House, both referring to the broken off, if ever to be resumed, negotiations concerning a Charter for a Catholic University. These negotiations, the public is now fully aware, were entered upon in consequence of the declared intentions of the present as well as the late Government to remove in part the educational disabilities under which the Catholics of Ireland labour; and they were conducted, so far as they went, by your Lordship, aided by the Earl of Malmesbury, on the part of the Government, and by us on the part of the Catholic prelates of Ireland. Not only was public attention excited, but much satisfaction was felt when it became known that Government was prepared to confer with the Catholic prelates of Ireland, through two of their number, upon the important subject in question. The negotiations went on smoothly, but very slowly, through the first stages, and then were suddenly stopped short, naturally causing something like a shock to public expectation proportioned to the suddenness of the abrupt and unlooked for termination of the business, supposing it to be the termination. Then came the Parliamentary explanations from the Earl of Malmesbury and your lordship, to which we now desire to call your attention.

If we may trust to the reports which have appeared in the public journals (and there seems to be no reason for doubting their correctness), the Earl of Malmesbury's explanation was a misrepresentation of the facts involved, purely accidental, we are willing to believe, nevertheless real; for, as reported, he said the negotiations ended in nothing, because the Bishops rejected the plan proposed by Government; whereas, the fact was, that they ended, if they have ended, in nothing, because the Government rejected the suggestions which you had invited us to offer. And then, as regards your lordship's explanation in answer to Sir John Gray's question, though far be it from us to impute anything like an intention to mystify or mislead, that explanation seems to leave it doubtful upon whom should rest the responsibility, whatever it be, of breaking off the negotiations, upon you or upon us. We desire to set the facts in their true light before the public, and so to correct the misinterpretation in the one case, and to remove the doubt in the other.

We do, then, assert that the negotiations were not broken off by us, or because we had rejected the plan proposed by the Government, and consequently that we have not to answer for it if they have ended in a "most lame and impotent conclusion." At our interview with your lordship and the Earl of Malmesbury you invited us to commit our views to writing, in order that they might be submitted to the consideration of Government. You did not give us to understand, neither did we then or since give you to understand, that this statement of ours was to be regarded as our last word, in a negotiation but just opened, and upon a subject which, from its very nature as well as the divergence of views apparent at the outset, demanded a further interchange of ideas, a fuller discussion, if the whole business was to end in anything. Not a word of ours, spoken or written, indicated that we had taken ground from which nothing could induce us to recede. We were prepared to do what parties conducting a negotiation in good faith must be prepared to do, listen to reason; and, as far as possible, make concessions as well as demands. Assuredly, there was nothing to make you think that in my right reverend brother and myself you had to do with persons who would demand everything and concede nothing; who would hold tenaciously to their own once-expressed opinions, but would pay no heed to anything you might have to say on the other side; and that, therefore, you might regard our statement of the 31st of March as the final and unalterable expression of our views. It was not, my lord, intended by us to be final, nor was any such thing conveyed by us, directly or by implication. If it was final, it was your acting, in the name of the Government, who made it final. After waiting for a considerable time we will not insinuate for the purpose of seeing how far the bare offer of a Charter for a Catholic University might be made to subserve political exigencies, you, in the name of the Government, as if to cut away all ground for any further treating, rejected every one of the suggestions which you had invited us to make; and, without more ado, you had the correspondence printed and submitted to Parliament. You it was, then, my lord, not we, who brought the negotiation to an abrupt termination, if terminated it has been.

That this business should have been terminated, if so it be, in a manner as abrupt as it was unlooked-for, and without any benefit whatever resulting to the Catholic public, such as was anticipated at the first starting of it, has naturally enough produced a deep sense of disappointment. We leave it to the public to pass its verdict upon the whole transaction, offering little or no remark ourselves beyond a statement of the facts. But, as one of the negotiating parties, and maintaining, as we do, that we did not break off the negotiations, we conceive we have a right to ask you as the other party; and we do ask you, my lord, whether you consider what has taken place between us as final. Your reply will put beyond question upon whom rests the responsibility of an abrupt as well as abortive termination of this whole business, and it is but right that whatever responsibility may attach to it in the eyes of the public should lie upon the really responsible party.

It is our intention to publish this letter.

We have, &c.,

(Signed), ✠ PATRICK LEAHY, Archbishop, &c.
✠ JOHN DERRY, Bishop, &c.

To the Right Hon. the Earl MAYO, M.P.,
Chief Secretary for Ireland.

The REPLY of the Earl of MAYO to the Most Rev. Archbishop LEAHY.

Irish Office, 30 June, 1868.

MOST REV. SIR,—I beg to acknowledge the receipt of your letter of the 16th instant, calling my attention to the answer recently given by me to Sir John Gray's question in the House of Commons, and that given by Lord Malmesbury in the House of Lords, in reference to the communications which have passed between us concerning a Charter for a Roman Catholic University, and complaining that the negotiations on the subject were broken off by me in an abrupt and unexpected manner.

It becomes my duty to call your attention briefly to the events which have taken place with regard to the proposals made by the Government in this matter.

On the 12th March, I announced in the House of Commons, that it was the intention of Her Majesty's Government to propose that a Charter should be given to a Roman Catholic University.

I said, that up to that time we had entered into no negotiations or communications with anyone, but that keeping in view the principles we thought indispensable, namely, that there should be in the institution an influential lay element, and that the elective principle should be fully recognised, we were prepared to listen respectfully and carefully to all suggestions that were made to us, and to endeavour to suit the new University to the requirements of those for whose benefit it was intended.

On the 14th March, therefore, I addressed to you a note referring to your letter to the Earl of Derby of the 23rd October, 1867, in which you stated, that you had been deputed by the Roman Catholic Archbishops and Bishops of Ireland to enter into communication with Her Majesty's Government on the subject of a Charter for the Roman Catholic University.

I said that I should be happy, on the part of the Government, to receive from you any communication which you might be pleased to make on the subject.

On the 19th March I received a letter, in which you put forward several objections to the proposed scheme, stating, at the same time, that you would do me the honour of waiting upon me during the ensuing week.

A lengthened interview took place on the 24th March at the Irish Office, in which you and your right reverend colleague repeated, to a great extent, the objections put forward in your letter of the 19th.

To these objections Lord Malmesbury and I listened with respectful attention; and, at the close of the interview, we requested you to place those opinions in writing at greater length, and in greater detail than you had done in your first letter.

A letter, dated the 31st March, was subsequently received, in which, with great clearness and frankness, you set forth the alterations which you recom-

mended should be made in the framework of the new institution, as it was described in a memorandum which I had the honour of placing in your hands.

The alterations which you said that you considered necessary were principally based on the assumption that there was not sufficient scope given in the constitution of the University and its governing body for the exercise by the Roman Catholic prelates of their authority in matters appertaining to faith and morals, or over the books that were to be used by the students.

In order, therefore, fully to provide for the exercise of that episcopal control which you appear to deem essential, you said that it was not competent for laymen or even clergymen of the second order, however learned, to judge authoritatively of matters relating to faith and morality, and that the very least power that could be claimed for the bishops in the senate would be that of an absolute negative on the use of all books that might be deemed objectionable, and a power of veto on the first nomination of the professors of the university, as well as an authority for their dismissal.

You also made propositions with regard to the election of the chancellor and the members of the senate, which would practically have put an end to anything like a system of free election on the part of the general body of the university.

I apprised you in my letter of the 11th May, delayed, as I then informed you, by my unavoidable detention in Ireland, and my consequent inability to consult my colleagues, that these proposals could not be entertained; and on the 17th I received from you a note, which was but a simple acknowledgment of my letter.

As no intimation was afterwards given of your desire to continue the correspondence, and as no notice beyond formal acknowledgment was taken of my last letter, I could come to no other conclusion than that the communications were at an end.

On the 29th of May, therefore, in answer to a question from Mr. Murphy, I stated in the House of Commons that the correspondence which had been laid upon the table of the House had shown that the conditions which Her Majesty's Government thought necessary to attach to the granting of a charter to a Roman Catholic University had been declined by the right reverend prelates who were deputed to act in the matter on the part of the Roman Catholic hierarchy of Ireland, and that therefore we had come to the conclusion that the matter should be considered entirely at an end. The answer given by the Earl of Malmesbury in the House of Lords on the same night, though somewhat different in words, was substantially to the same effect.

Again, on the 12th June, in reply to Sir John Gray, after referring to the dates of the communications which had taken place, I made a similar answer, and stated that it was not our intention to take any further steps in the matter.

It could not have been supposed that a correspondence conducted in such a manner, extending over so considerable a period of time, and terminating in the way it did, was intended by you to have been reopened.

The questions, as to which differences arose, involved matters of the highest principle. Speaking on behalf of the Roman Catholic prelates of Ireland, you laid down in the clearest manner the maxims on the subject of university education which you considered necessary for the safety of the faith and morals of the youth of the country.

We could not have supposed that requirements sanctioned by such high authority, so repeatedly made and so clearly expressed, could have been put forward only to be withdrawn.

Under these circumstances, I can only repeat the answer I have already given in the House of Commons, that it is not the intention of Her Majesty's Government to take any further steps in the matter.

I have, &c.,

(Signed) MAYO.

The Most Rev. Archbishop Leahy.

(NOTE.—*Reprinted from Parliamentary Paper 380 of the year 1868.*)

DOCUMENTS, VII.

RESOLUTIONS of the ROMAN CATHOLIC HIERARCHY in 1869 (*referred to in the Statement at page 57.*)

The CATHOLIC ARCHBISHOPS and BISHOPS of IRELAND, assembled at St. Patrick's College, Maynooth, on Wednesday, the 18th August, 1869—His Eminence CARDINAL CULLEN presiding—deem it their duty to place on record at this important crisis the following resolutions respecting the Education and Land Questions:—

I. They reiterate their condemnation of the mixed system of education, whether primary, intermediate, or university, as grievously and intrinsically dangerous to the faith and morals of Catholic youth; and they declare that to Catholics only (and under the supreme control of the Church in all things appertaining to faith and morals) can the teaching of Catholics be safely intrusted. Fully relying on the love which the Catholics of Ireland have ever cherished for their ancient faith, and on the filial obedience they have uniformly manifested towards their pastors, the bishops call upon the clergy and the laity of their respective flocks to oppose by every constitutional means the extension or perpetuation of the mixed system, whether by the creation of new institutions, by the maintenance of old ones, or by changing Trinity College, Dublin, into a mixed College.

II. At the same time they recognise the right, as well as the duty, of Catholic parents to procure, as far as possible, for their children the advantages of a good secular education. Justice demands that Catholic youth should enjoy endowments and all other privileges on terms of perfect equality with the youth of other persuasions; without which equality in the matter of education religious equality cannot be said to have any real existence.

III. The Bishops, without any wish to interfere with the rights of persons of a different denomination, demand for Catholics Catholic education, which alone is consonant to their religious principles.

IV. The assembled prelates, learning with pleasure that it is the intention of Her Majesty's present advisers to legislate for Ireland in accordance with the wishes of its people—and of this they have given good earnest—trust that the distinguished statesman now at the head of the Government will, with the aid of his able colleagues, give to Irish Catholics a complete system of secular education, based upon religion; for it alone can be in keeping with the feelings and requirements of the vast majority of the nation.

V. As regards higher education, since the Protestants of this country have had a Protestant University for 300 years, and have it still, the Catholic people of Ireland clearly have a right to a Catholic University.

VI. But should Her Majesty's Government be unwilling to increase the number of universities in this country, the bishops declare that religious equality cannot be realized unless the degrees, endowments, and other privileges enjoyed by their fellow-subjects of a different religion be placed within the reach of Catholics in the fullest sense of equality. The injustice of denying to them a participation in those advantages, except at the cost of principle and conscience, is aggravated by the consideration that whilst they contribute their share to the public funds for the support of educational institutions from which conscience warns them away, they have, moreover, to tax themselves for the education of their children in their own colleges and university.

VII. Should it please Her Majesty's Government therefore, to remove the many grievances to which Catholics are subjected by existing university arrangements, and to establish one National University in this kingdom for examining candidates and conferring degrees, the Catholic people of Ireland are entitled in justice to demand that in such university or annexed to it—

(*a.*) They shall have a distinct college, conducted upon purely Catholic principles, and at the same time fully participating in the privileges enjoyed by other colleges of whatsoever denomination or character.

(*b.*) That the university honors and emoluments be accessible to Catholics equally with their Protestant fellow-subjects.

(*c.*) That the examinations and all other details of university arrangement be free from every influence hostile to the religious sentiments of Catholics, and that with this view the Catholic element be adequately represented upon the Senate, or other supreme university body, by persons enjoying the confidence of the Catholic bishops, priests, and people of Ireland.

VIII. The Bishops also declare, that the Catholics of Ireland are justly entitled to their due proportion of the public funds hitherto set apart for education in the Royal and other endowed schools.

IX. The Bishops furthermore declare, that a settlement of the university question, to be complete, and, at the same time, in accordance with the wishes of the Catholic people of Ireland, must include the rearrangement of the Queen's Colleges on the denominational principle.

X. Finally, the Bishops of Ireland, deeply sympathizing with the sufferings of their faithful flocks, believe that the settlement of the Land Question is essential to the peace and welfare of the United Kingdom. They recognise the rights and the duties of landlords. They claim, in the same spirit, the rights, as they recognise the duties, of tenants. They believe that the comparative destitution, the chronic discontent, and the depressing discouragement of the people of Ireland are, at this period of her history, to be attributed more to the want of a settlement of this question on fair and equitable principles than to any other cause. Therefore, in the interest of all classes, they earnestly hope that the responsible advisers of the Crown will take this most important subject into immediate consideration, and propose to Parliament such measures as may restore confidence, stimulate industry, increase national wealth, and lead to general union, contentment, and happiness.

The above resolutions were unanimously adopted at a meeting of all the Catholic Archbishops and Bishops of Ireland, held at Maynooth, on the 18th of August of the present year, 1869.

✠ PAUL CARD. CULLEN, Chairman.

(NOTE.—*Reprinted from the Freeman's Journal.*)

RESOLUTIONS of the ROMAN CATHOLIC HIERARCHY in 1871 (*referred to in the Statement at page* 57).

RESOLUTIONS unanimously adopted by the ARCHBISHOPS and BISHOPS of IRELAND, at a Meeting held in the Presbytery, Marlborough-street, on Tuesday, the 17th instant, and following days.

I. We hereby declare our unalterable conviction that Catholic education is indispensably necessary for the preservation of the faith and morals of our Catholic people.

II. In union with the Holy See and the bishops of the Catholic world, we again renew our often-repeated condemnation of mixed education as intrinsically and grievously dangerous to faith and morals, and tending to perpetuate dissensions, insubordination and disaffection in this country.

III. Recent events known to all, and especially the acts of secret societies and of revolutionary organizations, have strengthened our convictions and furnished conclusive evidence that Godless education is subversive not only of religion and morality, but also of domestic peace, of the rights of property, and of all social order.

IV. As religious equality, which, according to the constitution of this country, is our inalienable right, is incomplete without educational freedom and equality, we demand, as a right, that in all the approaching legislation on the subject of education the principle of educational equality shall be acted on.

V. We repudiate the pretensions of those who, holding different religious principles from ours, seek to violate the civil rights of our Catholic people by forcing upon us a system of education repugnant to our religious convictions, and destructive alike of our temporal and eternal interests.

VI. In the present efforts to force Godless education on this country, we recognise another phase of persecution for conscience sake. Hence, following the example of our fathers, who sacrificed all earthly interests, and life itself, rather than imperil their faith, we shall never cease to oppose, to the utmost of our power, the Model Schools, the Queen's Colleges, Trinity College, and all similar institutions dangerous to the faith and morals of Catholics.

VII. We call on our members of Parliament, as representatives of the feelings and interests of their constituents, to sustain the principles embodied in these resolutions in Parliament and elsewhere, and to oppose any political party that will attempt to force upon this country any Godless scheme of education, or refuse to redress our admitted educational grievances.

VIII. In future elections of members of Parliament and other representatives, we pledge ourselves to oppose the return of any candidate who will not uphold the principle of denominational education for our Catholic people.

IX. Knowing the zealous attachment of our people to the Catholic faith, we invite them to hold meetings and sign petitions in their respective parishes, under the guidance of their clergy, making known their determination to accept no system of education except in conformity with the principles here announced.

X. We request his Eminence Cardinal Cullen, Archbishop of Dublin, to take immediate steps towards the establishment of a Central Training School for the training of Catholic teachers, and we pledge ourselves to assist his Eminence by our subscriptions and by our best influence in our respective dioceses.

XI. Contemplating with deep concern the melancholy wreck in other countries of all order, moral and social, mainly caused by the wide diffusion of a literature immoral and hostile to religion and society, we, the divinely constituted guardians of the spiritual interests of our people, solicitous, moreover, for their welfare, and following the example of the Father of the Faithful, emphatically warn our flocks to abstain from the perusal of all publications, in whatever form, in which the maxims of our holy religion and its ministers are misrepresented and assailed, and principles inculcated subversive of social order and Christian morality.

XII. These resolutions will be read on the first convenient Sunday at one of the public Masses in each of the churches and chapels of this kingdom.

Dublin, 20th October, 1871.

(Signed)

✠ PAUL CARD. CULLEN, Archbishop of Dublin.
✠ GEORGE CONROY, Bishop of Ardagh,
✠ JAMES M'DEVITT, Bishop of Raphoe,
} Secretaries.

(NOTE.—*Reprinted from the Freeman's Journal.*)

LETTER OF ARCHBISHOP MURRAY to the *Tablet* on the RESCRIPTS against the QUEEN'S COLLEGES (*referred to in the Statement at page* 58).

To the Editor of the Tablet.

Mountjoy-square, 11th February, 1850.

DEAR SIR,—I regret exceedingly to perceive that you seem, in one of your late articles, to attribute to me an opinion that no Catholic student could, under any circumstances, attend without sin the lectures to be given in the newly-established Queen's Colleges. If this was really your meaning, I beg to assure you that I have never uttered a word to indicate that such is my opinion. The mistake into which you seem to have been unintentionally led, appears to have arisen from a supposition of mine, perhaps a very unfounded one, that the Sacred Congregation of the Propaganda was impressed with a notion of that kind, when the Rescript regarding the Colleges was issued, and when it was not, of course, accurately acquainted with the various checks against irreligion and immorality which were then in preparation. That such an idea should have been then entertained would, perhaps, under these circumstances, be hardly surprising; but the supposition that it really was so, is at least premature; for, on reviewing the two Rescripts, of which there is question, I cannot discover in either of

them any declaration to that effect; and it is neither my duty nor my wish to make any addition to them. The Sacred Congregation—always prudent, always dignified—gives no countenance in these documents to the absurdity of applying the epithet of "Godless" to institutions which comprise the ministers of religion, and appointed for the express purpose of teaching the students to adore, and love, and serve God. It calmly expresses its doubts as to how far the proposed checks against irreligion would be sustained by the laws of these realms, which it professes not to understand; it indicates other grounds of fear, which lead it to apprehend that the new Colleges would not be sufficiently safe for the general education of Catholic youths; and it therefore enjoins the Catholic bishops to take no part in the execution of the law in virtue of which they were to be established. I do not find any other distinct prohibition in those rescripts. With this injunction I at once pledged myself to the Holy See that I would strictly conform. But I stop there. Being thus wholly unconnected with those institutions, it is not for me to anticipate any future declarations regarding them which may emanate from the wisdom of the same supreme authority, nor to dictate, in the meantime, to others what conclusions, respecting individual cases, they ought to draw from the two important documents which are now before them.

Having given this explanation, I must beg to decline entering again, through the newspapers, upon this subject.

I have the honour to remain, dear Sir,

Your obedient Servant,

✠ D. MURRAY.

Frederick Lucas, Esq.

(NOTE.—*Reprinted from the Galway Vindicator, of the 13th Feb.*, 1850.)

CORRESPONDENCE between ARCHBISHOP MURRAY and Mr. CORBALLIS, subsequent to the Synod of Thurles (*referred to in the Statement at page* 57).

Rosemount, Roebuck, 30th September, 1850.

MY DEAR LORD,—May I respectfully ask your Grace, as well for my own information as for that of some other Roman Catholics of your diocese, who have sons either in Trinity College or in course of preparation for it, or for the newly-established Queen's Colleges, how are we to understand the late Synodical Address on the subject of these Colleges? Are we thereby actually prohibited from sending our children to these Colleges?—and if so, how far is such a prohibition actually binding on us, in *foro conscientiæ*? To many of us it appears altogether inexplicable, that after petitioning, in the days of persecution, for admission into Trinity College—after being permitted, with the tacit sanction of your Grace, and your eminent predecessors and colleagues in the Church of Ireland for upwards of half a century, to receive our education there—and seeing that one of the members of that very Synod, most distinguished for rank, is actually a graduate of the university, it does appear strange that, in the year 1850, education in Trinity College, or even in any of the colleges recently established on such a liberal footing as regards us, should be unequivocally condemned; and that without one reason being assigned for this sudden change, or any provision in the meantime being made for affording a suitable education to our children. I need not say that this subject is one of intense interest to the Roman Catholic gentry of your Grace's diocese, as well as to the Roman Catholic middle classes of Ireland generally; and I, therefore, my dear Lord, take the liberty of entreating such an answer from your Grace as I may make known to the numerous persons who have spoken to me upon it; and which, if it do not calm our apprehensions, at least may guide our future course of action on this all-important point.—I am, my dear Lord, with the sincerest respect and affection,

Your Grace's obedient Servant,

JOHN R. CORBALLIS.

The Most Rev. Archbishop Murray.

REPLY of ARCHBISHOP MURRAY.

Mountjoy-square, 1st October, 1850.

MY DEAR FRIEND,—I have received your interesting letter, and I need not, I hope, assure you, that I participate fully in the deep anxiety which you so justly feel; but I must pray you not to press me to enter, at this moment, into details on the painful subject to which you allude. I may, however, mention that a petition signed by thirteen bishops has probably, ere this, reached Rome, supplicating our most Holy Father, Pius IX., to refuse his sanction to certain proposals on points yet undecided, relative to the subject of academical education. To the decision to be given thereon, whatever it may be (though I still venture to hope that it will be favourable to the petitioners), those prelates will be found among the first to reverently submit; but in the meantime I am not aware that there is amongst them one who would wish to extend the provisions of the Pontifical Rescripts, already issued on that subject, beyond the strict letter of what the Holy See has prescribed.—I have the honour to remain, my dear Friend,

Yours most faithfully,

✠ D. MURRAY.

J. R. Corballis, Esq.

(NOTE.—*Reprinted from the Galway Vindicator of 2nd October*, 1850.)

ACTION of the CONVOCATION of the QUEEN'S UNIVERSITY in IRELAND, in relation to the IRISH UNIVERSITY EDUCATION QUESTION (*referred to in the Statement at page* 58).

In the year 1866 an additional Charter, which is commonly known as "The Supplemental Charter," was granted to the Queen's University in Ireland. This Charter enabled the University to affiliate sectarian Colleges, and also to grant degrees on examination without collegiate training.

At the first meeting of the Convocation, which was held on the 12th October, 1866, the Supplemental Charter was not approved of; and the following resolution, moved by Sir Robert Kane and seconded by Mr. Porter, was adopted by an overwhelming majority of a large and influential meeting:—

"That in the opinion of Convocation the acceptance of the Supplemental Charter is inexpedient."

In consequence of legal proceedings afterwards taken by some of the graduates the Supplemental Charter was abandoned.

At the meeting of Convocation held on the 14th April, 1868, the annual Committee for the year directed attention to this subject in their Report, and the following resolution founded on that Report was moved by Sir Robert Kane, seconded by Dr. Allman, and unanimously adopted:—

"That this House of Convocation hereby declares its continued confidence in the advantages which have resulted, and are calculated to result, to Ireland from the establishment and extension of the system of united education."

At the meeting of Convocation held on the 13th October, 1869, the annual Committee in the following paragraph of their Report directed attention to this question:—

"The Committee have observed with pleasure the action taken, since the last meeting of Convocation, by the Board of Trinity College, who have declared their willingness that every office both in the University and College should be opened to persons of all religious denominations equally. The Committee feel that in this direction is to be found the true solution of the Irish University education question. The Committee think that there should be no University in this country recognised or supported by the State, where persons of all denominations would not stand upon equal footing; and that to establish a denominational University or College for any one religious sect would tend to perpetuate those feelings of intolerance and ill-will amongst the members of the different religious persuasions, from which Ireland has already suffered so much. The Committee have prepared

resolutions upon these subjects, with a view to obtaining the expression of the opinion of Convocation upon them."

The Report was unanimously adopted, and the following resolutions, moved by Professor Nesbitt, and seconded by Mr. R. R. Kane, were passed:—

"That we declare our continued adhesion to the principle of united and non-sectarian University education in Ireland, and that we hail with unalloyed pleasure the course lately taken by the Board of Trinity College, Dublin, in declaring their willingness that every office both in the University and in the College should be opened to persons of all denominations."

"That in the opinion of Convocation any measure involving the omission from public University education in Ireland of the academical or collegiate element would be incompatible with proper University training, and highly prejudicial to the interests of learning."

At the same meeting it was moved by Mr. Weir, seconded by Mr. Hyndman, and unanimously resolved—

"That the annual Committee of Convocation be and are hereby authorized and instructed to take the most energetic measures in opposing every infringement of the principle of united and non-sectarian University education in Ireland, as embodied in our University."

At the meeting of Convocation held on the 11th October, 1871, the Report of the annual Committee for the previous year contained the following paragraphs:—

"Since the last meeting of Convocation an unsuccessful attempt has been made to pass an Act of Parliament for opening all the offices in Dublin University and Trinity College to persons of all denominations.

"If such an Act had been passed, it would, in the opinion of the Committee, have been a step in the right direction. The Universities of Ireland would then have been open to persons of all denominations upon equal terms.

"The annual Committee are of opinion that 'freedom of University education' in its true sense, consists in this—'That in every University and College recognised or supported by the State in Ireland persons of all denominations should stand upon an equal footing,' and 'that no institution, which does not admit and teach persons of all denominations equally, without interfering with their religious opinions, should be recognised or supported by the State either as a College or University.'

"The Committee think it is improper to apply the term 'freedom of education' to any system, the effect of which would be to introduce in any form denominational education into the Universities of Ireland, or any University to be substituted for them.

"The Committee are aware that there is a diversity of opinion upon this subject, but they believe that by far the greater portion of the educated people of Ireland favour the views adopted by the Convocation of the Queen's University, and would deprecate the introduction of any system which would hand over any section of the youth of Ireland to be educated in a sectarian institution. In support of this opinion the Committee can refer to the declaration in favour of non-sectarian education in Ireland issued by the nobility, clergy, and gentry of the Church of Ireland a few years ago from Trinity College, Dublin, commonly known as the 'Provost-house Declaration'—to the action since taken by the Board of Trinity College—to the proceedings of the General Assembly of the Presbyterian Church in Ireland, and especially to the declared opinions of many of the liberal Roman Catholics of Ireland."

The Report was unanimously adopted, and the following resolution was moved by Dr. Commins, seconded by Mr. Monroe, and adopted:—

"That as it is probable that legislation upon the subject of the Irish University system will occupy the attention of Parliament in the ensuing Session, Convocation thinks it right to declare its continued adhesion to the principle of united and non-sectarian University education in Ireland."

A meeting of Convocation was held on the 11th October, 1872, when the following resolutions were adopted:—

"That in view of approaching legislation upon the subject of the Irish University education question, this Convocation declares that, in the opinion of Convocation, any measure involving the omission from public University education in Ireland of the academical or collegiate element would be incompatible with proper University training, and highly prejudicial to the interests of learning."

"That it be an instruction to the annual Committee to take such steps as they may think best for collecting and arranging statistics and facts bearing on the Irish University education question, and putting the subject in a proper form before Parliament."

(Certified to be correct by the Clerk of Convocation of the Queen's University.)

RESOLUTIONS passed by SYNODS of the CHURCH OF IRELAND (*referred to in the Statement at page* 58).

At a meeting of the Cork Diocesan Synod, held on Thursday, the 30th November, 1871, under the presidency of the Bishop of the diocese, the following resolution was adopted:—

"That this Synod hereby records its firm opposition to any system of the National education under which State aid would be afforded to denominational schools, being firmly convinced that any such system must prove most injurious to the best interests of the country."

At a meeting of the Diocesan Synod of Armagh, held on the 23rd November, 1871, under the presidency of his Grace the Lord Primate, the following resolution was proposed by the Lord Primate and unanimously adopted:—

"That we regard the demand made by the Roman Catholic hierarchy in Ireland for the institution of a denominational system in this country, as one opposed to the best interests of its people, and one which would ultimately be subversive of the principles of civil and religious liberty. That we claim for our Protestant children a right to participate in the educational endowments of the State, in every school to which the State contributes, with full protection to their religion, and with complete immunity from any teaching hostile to their creed. That which we claim for ourselves we hesitate not to concede to others."

At a meeting of the Diocesan Synod of Clogher, held on the 1st December, 1871, under the presidency of his Grace the Lord Primate, a resolution in the same terms was proposed by the Lord Primate, seconded by the Archdeacon of Clogher, and unanimously adopted.

(Reprinted from the Daily Express and Saunders's News-Letter.)

RESOLUTIONS passed by the GENERAL ASSEMBLY of the PRESBYTERIAN CHURCH IN IRELAND (*referred to in the Statement at page* 58).

At Belfast, on the 8th day of February, 1866, the General Assembly of the Presbyterian Church in Ireland, specially convened, being met and constituted, the following resolutions were unanimously adopted:

I. That the General Assembly re-affirms the resolution adopted at its meeting in July, 1863, viz.:—

"That the Assembly regards it to be a sacred duty, by every means in its power, to preserve the fundamental principles on which the Synod of Ulster, in 1840, agreed to receive aid from the National Board, according to which religious instruction is daily given in all our schools, while at the same time the rights of conscience and the sacredness of parental authority are duly respected, and no children are required to be present at any religious exercises to which their parents or guardians object."

II. That the Assembly regards the establishment of the Queen's Colleges and their connexion with the Queen's University as having been productive of

great advantages to the country, and rejoices in the large measure of success which has attended them, notwithstanding the obstruction and opposition they have encountered.

III. That the Assembly deprecates the many evils that must arise from the changes proposed to be made in these valuable institutions, by which the character of the University and the constitution of the Senate will be altered, the denominational elements largely introduced, and to that extent the usefulness of the Colleges and University impaired.

IV. That inasmuch as the General Assembly in July last requested the Trustees of the Magee College to take steps for having the College affiliated to one of the existing Universities, so that its students may be in a position to receive degrees in arts, thereby warranting the Trustees in seeking to have the Magee College affiliated with the Queen's University, they are hereby declared to have had the warrant of the Assembly in seeking such affiliation; yet, inasmuch as the aspect of the educational question is materially altered since the meeting of the Assembly in July last, and as the constitution proposed for the Senate of the Queen's University is not yet before the Church, the Trustees are required to suspend further action in this matter.

V. That the Government Committee be instructed, and they hereby are instructed, to present to the Lord Lieutenant these resolutions, and to take such other steps as may be necessary to arrest further progress in the matter of affiliation.

Certified from the Minutes of Proceedings of the General Assembly of the Presbyterian Church in Ireland.

(Signed) ROBERT PARK, A.M., Clerk of Assembly.

(NOTE.—*Reprinted from Parliamentary Paper 84 of the year* 1866.)

LETTER from the FIRST CLERK of the GENERAL ASSEMBLY to the CLERK of CONVOCATION of the QUEEN'S UNIVERSITY showing the recent action of the GENERAL ASSEMBLY of the PRESBYTERIAN CHURCH in IRELAND.

Ballymoney, January 28th, 1873.

MY DEAR SIR,—In answer to yours of the 24th January, only received here yesterday, I beg to say that I have carefully examined the "Minutes" of the General Assembly's actions, since February, 1866, in relation to the Irish University Question, and now give you underneath the results.

At the annual meeting of the Assembly in June, 1866, the Committee appointed in February reported that they had communicated the resolutions of the special Assembly to the Premier, Earl Russell, and to the Lord Lieutenant of Ireland, and that they had waited on His Excellency and Earl Russell; and they gave their impressions as to the intentions of Government, having heard it authoritatively declared that Government would wait till the completion of the correspondence on the subject, and then submit the new charter to the consideration of the House previous to asking Her Majesty's approval.

The report was received and adopted, and cordial thanks were given to the Moderator and Committee for the zeal and ability with which they had conducted the negotiations. The Committee was reappointed with the instructions of the former year.

In the report of this Committee at the meeting of Assembly, 1867, there is no reference to the question of University Education, nor was there any action on this subject.

At the meeting of Assembly in 1868 an overture submitted to the Committee of Overtures and transmitted, was read. It is in these words:—

"That this Assembly protest against the chartering and endowing of any educational establishment of a denominational character in Ireland, and that it petition Parliament in favour of the opening of Trinity College, Dublin, to all Her Majesty's subjects, and thus abolish its present anomalous denominational character."

The result was the appointment of a Committee, Rev. J. Rogers (then of Comber) Convener, "to take the whole subject into consideration, and report at a subsequent session." That Committee met and reported that they had carefully considered the question, and recommend that the following portion of the overture lie on the books for the year, viz., "To petition Parliament in favour of the opening of Trinity College, Dublin, to all Her Majesty's subjects," and that the Assembly now appoint a Committee to inquire into the whole matter.

At the meeting of Assembly, 1869, I find—

"The Committee to inquire into University Education with special reference to Trinity College, Dublin, reported that, inasmuch as the question has not been officially before the country during the past year, they did not feel it necessary to take any action in the matter, but they now recommend that the portion of the overture which refers to petitioning Parliament in favour of opening Trinity College, Dublin, to all Her Majesty's subjects lie on the books for another year, and that the Committee be reappointed with the same Convener and the same instructions."

At the meeting of Assembly, 1870, I find the report of the "Trinity College Committee" ran, viz.:—

"A meeting of the Committee was called for the 2nd of May, but no member attended, this may have arisen from the fact that the question of University Education had made no legislative progress during the year, and in the opinion of the brethren was not ripe for any action on the part of the Committee. The question, however, owing to a certain movement on the part of the Dublin College authorities is likely to make some advancement during the coming year, and in these circumstances it is recommended to the General Assembly to re-appoint the Committee and renew the instructions of last year."

The Committee was re-appointed, and in 1871 reported:—

"Their report was returned, and the Committee re-appointed with their former powers, and with instructions to inquire into the whole subject of University Education in Ireland, suggest the course to be taken by the Presbyterian Church in regard thereto, and report to next Assembly."

In 1872 Professor Rogers presented the report of the Committee on Trinity College:—

"On the question of University Education, the Committee on Trinity College report that having inquired into the whole subject, they are of opinion:—

"1. That the principle of United and Non-sectarian Education should be carried out in the University as well as in the elementary and intermediate departments.

"2. That the fundamental principles of the Queen's Colleges and Queen's University should be maintained in their integrity in accordance with the resolutions of the Assembly of 1866.

"3. That Trinity College should be opened up so that its secular advantages may be available for all Her Majesty's subjects without reference to creed or sect, and that the University of Dublin should be preserved as one of the universities of the land, subject to such rules as will remove all religious disabilities from its fellowships, scholarships, and other honours and advantages.

"4. That the Committee be re-appointed with instructions earnestly to watch over the progress of this University Question, and with power should they see necessary (in accordance with the terms of their appointment in 1868) to take steps towards calling a special meeting of Assembly respecting it.

"The report was received, and the Committee reappointed."

You will see from the above history, which, at some little trouble, I have given you for the information of the Committee of Convocation of the Queen's University, that the General Assembly of the Presbyterian Church in Ireland is quite alive to the importance of the subject of Irish University Education, that their Committee will carefully watch events, and if necessary will be prompt to exercise the power intrusted to them. The question every day is becoming more urgent, and must be met promptly and unitedly by the friends of United and Non-sectarian Education.

Though not equal to the exertion I once was able to make in the business of our Church, I feel happy in any way and to any extent in furthering this good cause.

Ever faithfully yours,

ROBERT PARK, A.M.

First Clerk of the General Assembly of the Presbyterian Church in Ireland.

JAMES WILSON, Esq., A.M.,
Clerk of Convocation of the Queen's University in Ireland.

RESOLUTIONS of PRESBYTERIES of the GENERAL ASSEMBLY (*referred to in the Statement at page* 59).

PRESBYTERY OF BELFAST.

The Belfast Presbytery met on the 7th November, 1871, in the lecture-room of May-street Church. The principal business before the Presbytery was the question of education. The Rev. J. Macnaghten moved, and the Rev. Dr. Porter seconded the subjoined resolutions. The Rev. W. Johnson, the present Moderator, in supporting the resolutions, said that the statement of Mr. Chichester Fortescue, that Irish National schools are really denominational, is a specimen of amazing and culpable ignorance.

The following are the resolutions:—

That the Presbytery, having had its attention directed to the manifesto of the Roman Catholic Bishops, feels constrained—

I. To declare its continued adherence to the principle of united literary and moral with separate religious education, as opposed to the denominational system, and its determination to uphold it.

II. That the Presbytery regards the National system as admirably suited to the wants of this distracted country, and would regard any departure from the principles of the system as a great national evil.

III. That in all schools supported or aided by the State, the arrangement of books, or education and inspection, should be such as would be available for every child in the community, and would give no offence to the parents of any religious persuasion.

IV. That the Presbytery regards the Model schools as a valuable and integral part of the National system, as fitted to provide well-qualified teaching, and deplores the action of the Board in interfering with these schools and opening rival establishments.

V. That education based on the denominational system would originate a multitude of small, ill-taught schools, leave the minority exposed to the risk of proselytism, and involve a system of concurrent endowment, which the country has condemned.

VI. That a committee be appointed to prepare a memorial embodying these resolutions, and forward it to the Government.

(*Reprinted from the Daily Express of 8th Nov.*, 1871.)

PRESBYTERY OF DUBLIN.

The attention of the Presbytery of Dublin having been called to the resolutions and pastoral recently published by the Irish Roman Catholic Bishops, resolved as follows:—

I. That we desire to express our unchanged approval of the principle of united education, and that the history of the last forty years tends to confirm us in our adherence to the National system, as being specially suited to the circumstances of this country, and as furnishing effectual safeguards against the dangers of proselytism.

II. That we cannot admit the charge of "Godless" to be correctly applied to a system which, while securing to the youth of this country a combined literary and moral education, better than was ever before obtained, permits and provides that the ministers of religion of every denomination may daily impart religious instruction to the children of their several communities.

III. That the State having recently abolished ecclesiastical endowments in Ireland, is bound in consistency to refuse to endow denominational schools, the object of which is to do service to Churches and to the clergy, and to train up the young for a special form of faith, rather than to promote the true interests of education, and the good of our common country.

IV. That we cannot but express our conviction that the substitution of denominational for united education would tend to keep alive the feeling of sectarian and political animosity between the two great sections of our population, and to perpetuate and embitter that spirit of disunion and division which has so long proved the bane and disgrace of this unhappy country.

V. That in the opinion of this Presbytery, the principle embodied in the foregoing resolutions should be maintained alike in primary, intermediate, and university education; and that the youth of our country should be, as far as possible, trained up as members of the same community, conscious of having the same interests, of enjoying the same rights and privileges, and of owing loyalty to the same constitutional Sovereign.

VI. That a copy of these resolutions be forwarded to Her Majesty's Government.

Dublin, 13th November, 1871.

(*Reprinted from Saunders's News-Letter of 15th Nov.*, 1871.)

BALLYMENA PRESBYTERY.

At a meeting held on the 14th November, 1871, the following resolutions were unanimously adopted:—

I. That this Presbytery regret the present hostility of the Roman Catholic Bishops of Ireland to the principle of united non-sectarian education, and the efforts they are making to induce the Government to depart from it.

II. That it is the duty of the State to provide education for the people, and that a system of united literary and moral, with separate religious education, in which the schools are equally open to all the people, in which the rights of parents and guardians are recognised, and the religious convictions of minorities are protected, is eminently adapted to elevate those trained under it, and to soften the animosities and heal the divisions of this distracted country.

III. That Model Schools are an original and most important part of the National system, absolutely non-sectarian, necessary for the efficient training of teachers, and that their maintenance is essential to the educational interests of the nation.

IV. That, in the opinion of this Presbytery, no antagonistic or rival system, such as the denominational, can be set up, or in any way countenanced by the State, without interfering with the rights of minorities, necessitating the multiplication of small, inefficient schools, disappointing hopes of concord among Irishmen, and justifying the suspicion that our rulers, when sufficient pressure is brought to bear upon them, will adopt a retrograde and mischievous policy.

V. That State aid, by denominational schools, is concurrent endowment in its worst form, and that we are determined to resist it to the utmost of our power.

VI. That a board, the members of which are chosen on account of their denominational connexions, is unfit to manage properly a non-sectarian system, and that we respectfully urge upon the Government the appointment of three paid commissioners, selected for their superior abilities, and whose functions shall be purely administrative.

(*Dublin Evening Mail, 16th. Nov.*, 1871.)

THE DERRY PRESBYTERY AND NATIONAL EDUCATION.

On Wednesday, 29th November, 1871, a special meeting of the Derry Presbytery was held in the First Presbyterian Church, for the discussion of the subject of National Education.

There was a very large attendance of members, and the following resolutions were unanimously adopted:

I. That we declare our continued approval of the system of "united, literary, moral, and separate religious instruction" (as opposed to the denominational system), and our determination, by every constitutional means in our power, to maintain and extend it.

II. That a system of education which secures equal rights and privileges to the members of every class and creed, recognises parental authority, provides abundant facility for imparting religious instruction, prevents all just suspicion of proselytism, associates in friendly emulation and intercourse the young of all denominations, is one well suited to the circumstances of this country, while the numbers attracted to the schools prove that the Irish people recognise its excellence.

III. That no denominational system can be established or countenanced by the State without sacrificing the rights of minorities, interfering with the exercise of parental authority, incurring increased expenditure, and the creation of small and inefficient schools, and fostering feelings of intolerance, alienation, and distrust, to the serious injury of the country.

IV. That, as the consciences of local minorities in every school ought to be legally protected, no aid should be given by the State to any school in which the time-table conscience clause is not strictly enforced, and a rigid control maintained over all books used for united general instruction.

V. That, to establish denominational schools, or to hand over to the several denominations model and other vested schoolhouses that have been erected for non-sectarian purposes, and by aid of the State, would be a retrograde policy, and would involve in the most objectionable form the principle of concurrent endowment, which the nation has condemned.

VI. That we regard the Model Schools under the control of the State as an essential and invaluable part of the National system—carrying out most fully its leading principle, as indispensable for the training of qualified teachers, and as furnishing to ordinary schools models of correct instruction; and we deplore and condemn the action of the Board of Commissioners in encouraging the erection of rival establishments in the interests of any particular denomination, and especially for training purposes, and supporting them at the public expense.

VII. That, as friends of united non-sectarian education, we have no confidence in the administration of the system by the present Board of Commissioners; that we emphatically condemn the recent introduction by the Board, without notice to the country or Parliamentary sanction, of a system of payment by results, and the issuing of a form of inspectors' report, in which the well-known inquiries on the subject of religious instruction are for the first time wholly omitted, thus apparently preparing the way for the State recognition and support of sectarian schools; and we respectfully urge upon the Government the necessity of either at once superseding the present board, or strictly limiting their functions to action in harmony with the principles of the National system.

(*Daily Express*, 1*st Dec.*, 1871).

ACTION of the METHODIST CHURCH in IRELAND (*referred to in the Statement at page* 59)

The Rev. J. TOBIAS to Lord WODEHOUSE.

Roscrea, 30th November, 1865.

MY LORD,—I have the honour to transmit to your Excellency the enclosed Memorial of the Committee appointed to watch over the civil privileges of the Wesleyan Methodists of Ireland, in the hope that you will take the earliest opportunity of giving it its full proportion of effect with Her Majesty's Government, of which you are the representative.

I have, &c.,

(Signed) JAMES TOBIAS, Wesleyan Minister.

MEMORIAL.

To His Excellency JOHN, Baron WODEHOUSE, Lord Lieutenant of Ireland.

MAY IT PLEASE YOUR LORDSHIP,—The Memorial of the Committee to whom the Conference of the connexion established by the late Rev. John Wesley, A.M., in Ireland, has in the interval of its sittings committed the guardianship of its civil rights and duties, humbly showeth:

That it has been represented to Memorialists that it is the intention of Her Majesty's Government either to make or to propose to the ensuing Parliament important changes in the principle and government of the Queen's University for Ireland.

Memorialists are aware that such intention has not yet been made public—at least to such extent as to indicate the character of the changes intended; nevertheless enough has taken place to fill the minds of Memorialists with both anxiety and alarm.

Memorialists, therefore, humbly beg permission to lay their views, and those of the denomination which they represent, before your Excellency, and to ask that they may be submitted to Her Majesty's Government, or dealt with in any manner or way in the judgment of your Excellency most likely to give them effect.

Memorialists would specially and in the strongest manner deprecate all such changes as would dispense with the students' attendance upon the lectures of the Professors, or alter in any way the non-sectarian character of the University.

Memorialists regard the establishment of the Queen's University as one of the greatest boons ever conferred upon Ireland, and believe it capable of promoting in an eminent degree the welfare of the country.

Memorialists feel that the Wesleyan body in any such changes would have special cause of complaint, inasmuch as in the faith that the principles of the University would be preserved intact, they have undertaken an outlay very large in itself—large for their means, and large in comparison with any other outlay made to sustain the principle of the Queen's Colleges.

Memorialists, therefore, feel that any alteration which would make this expenditure valueless for the purposes for which it was intended would be a great hardship to them, and, by weakening confidence in the stability of any institution in Ireland, could not but discourage for a long time to come any attempt to promote the education of the people.

Memorialists disclaim in the strongest manner any disposition to interfere with the consciences of others; but at the same time humbly beg to press upon the attention of your Excellency the danger of overthrowing an institution which experience shows is peculiarly adapted to the wants of the country.

And Memorialists will ever pray, &c.

Signed on behalf of the Committee,

ROBERT MASAROON, Chairman.
JAMES TOBIAS, Secretary.

Dublin, 27th November, 1865.

(NOTE.—*Reprinted from Parliamentary Paper* 84 *of the year* 1866.)

RESOLUTIONS of the METHODIST CHURCH on the EDUCATION QUESTION (*referred to in the Statement at page* 59).

At a meeting of the Wesleyan Education Committee for Ireland, held in the library of Donegall-square Church, Belfast, on Wednesday, the 22nd November, 1871, the resolutions of the Roman Catholic Archbishops and Bishops, in relation to National education in Ireland, were carefully considered, and the following unanimously adopted:—

I. That while regarding religious instruction as an essential element in education, we, nevertheless, declare it as our conviction that a mixed secular and a separate religious education is the only National system that can secure "educational freedom and equality" in Ireland.

II. That to apply the term "Godless" to a system that affords facilities to all denominations to instruct the children in their respective communions, in the principles of their own faith, and that upon equal terms, without interfering with the convictions of any, is disingenuous, and can be misleading to none but the uniquiring and the deeply prejudiced.

III. That every step of departure, in favour of denominationalism, from the system of the National Board of Education, as originally propounded in the letter of Lord Stanley, then Secretary for Ireland, had been in violation of the principle of religious equality, and should be speedily retraced, the whole system, as far as practicable, being brought into harmony with the Model Schools, which are its truest types.

IV. That to give public confidence in the future that the system shall be faithfully administered, it is indispensable that the present Board of Commissioners, selected as representatives of religious denominations, be replaced by paid Commissioners selected purely on the ground of competency, and without power to alter or amend, but only to administer a clearly defined code of rules and regulations with impartiality

V. That the present effort to supersede that system, by one purely denominational, under the plea of "educational freedom and equality," is but an ill-concealed attempt to revive the principle of religious endowment in favour of those who secured its overthrow, and that to the depriving of considerable minorities in many parts of Ireland of the freedom and equality which they profess to advocate as "invulnerable rights."

VI. That having lately established a college at a cost of more than £50,000, all raised by voluntary contributions, in order to take advantage of the united system of education in the Queen's Colleges and University, we strongly deprecate any step tending to unsettle the principle upon which those institutions have been founded.

VII. That while protesting against a revival of the principle of State endowments for religious purposes, whether to the Church or school, and conceding the right to our Roman Catholic fellow-subjects to establish a college or colleges at their own cost, we also maintain their right to obtain University degrees and honours without respect to where or how they may have obtained their literary qualifications, and would, therefore, advocate the application of the principle of the Queen's Colleges to Trinity College, Dublin, and the establishment of one University for Ireland on a non-sectarian basis, as the surest method of securing *true* "educational freedom and equality."

VIII. The English Conference, at its last session in Manchester, apprehending such a movement as that now in progress, adopted a resolution empowering the president, in connexion with the committee of exigency, to take such measures as might be deemed necessary to oppose it; that we therefore take the necessary steps to thus secure the co-operation of the Methodist body in England, in resisting any measure tending either directly or indirectly to endow Romanism in Ireland.

IX. That a copy of these resolutions be forwarded to Her Majesty's Government, and that every possible effort be made to give them practical effect.

(NOTE.—*Reprinted from the Northern Whig of 25th November*, 1871.)

ACTION OF THE ASSOCIATION OF IRISH NON-SUBSCRIBING PRESBYTERIANS IN RELATION TO THE IRISH UNIVERSITY QUESTION.

At a meeting of the Association of Irish Non-Subscribing Presbyterians, held on the 20th June, 1866, the General Committee of the body amongst other things reported, that as they had regarded with considerable alarm certain proposed changes in the constitution and powers of the Queen's University, as indicated in the speeches and declarations of some members of Her Majesty's Government, they had held a meeting on the 2nd August, 1865, when it was agreed that the following resolution on the subject should be forwarded to the Lord Lieutenant and several other officials of Her Majesty's Government:—

"That, inasmuch as the Association of the Non-Subscribing Presbyterians of Ireland has always been friendly to the principles of united and non-sectarian education, and has frequently expressed its attachment to that principle, we, its Committee, acting on its behalf, feel bound to record our deep regret at an announcement which we understand has been made by Her Majesty's Government, intimating an intention to reconsider the regulations of the Queen's University in Ireland, with a view to modify them in such a manner that young men who have been educated in a seminary which is under the control and patronage of one particular Church, and whose directors and teachers are regarded to be members of that Church, may be enabled to receive degrees and other literary and scientific distinctions in connexion with that University; that we deprecate the adoption of any measures for the purpose above set forth as a direct infringement of the great principle upon which the Queen's University was founded, as likely to lead to further and still more objectionable changes in its constitution and management, as disadvantageous, if not fatal, to the prosperity of the Queen's Colleges in Ireland, and as calculated to counteract the wise and beneficent measures which the Imperial Parliament has, during the last thirty years, repeatedly sanctioned with reference to public education in Ireland, to produce a deeply injurious effect on the feelings and habits of the rising generation, and to foster and perpetuate sectarian jealousies, alienations, and animosities in this already distracted land."

The General Committee also reported that they had resolved to petition both Houses of Parliament deprecating the changes referred to in the constitution and powers of the Queen's University, and that the following petition was accordingly forwarded for presentation to both Houses of Parliament:—

"To the Right Honorable the Lords Spiritual and Temporal in Parliament assembled.

"The Humble Petition of the Committee of the Association of the Non-Subscribing Presbyterians of Ireland.

"Humbly Showeth—That in common with enlightened men of various sects and parties who have made the subject of public instruction their study, petitioners are firmly attached to the principle of united and non-sectarian education, as calculated to afford to the youth of all Churches the advantage of the best attainable secular instruction, without interfering in any degree with their peculiar religious tenets; and as tending to attach them to each other by the ties of mutual friendship, and to mitigate the bitterness of political and ecclesiastical antipathy in afterlife.

"That petitioners, regarding this principle as especially valuable in its application to a country long distracted by sectarian animosities and the discord of political parties, hailed with gratitude the establishment of the National Board for the education of the poor of Ireland, and subsequently the erection of the Queen's Colleges and the Queen's University, all being founded on the one great principle of united and non-sectarian teaching.

"That petitioners have seen with deep regret the inroads which have from time to time been made on this great principle by means of various alterations in the constitution and management of the National Board, and have learned with sorrow that it is the intention of Her Majesty's Government to advise a modification of the charter of the Queen's University, by which a similar inroad, probably only the first of a series of inroads, will be made on the same principle as applied to the constitution and management of that admirable institution.

"That the great success which has attended the Queen's University and the Queen's Colleges as evidenced by the number of their students, notwithstanding the efforts of those who are opposed to their fundamental principle to deter young men from entering their walls; by the eminence which many of them have already attained in various departments of professional life, as well as in other fields of competition, and by the acceptance of them as places for the education of their sons by persons of all religious denominations moving in the rank of society for whose use they were designed, is a sufficient reason for maintaining them in their integrity, and for abstaining from every change, whether in the constitution, powers, or management of the Senate of the University or of the Colleges, which would tend to diminish their usefulness or to shake the public confidence in their stability and in that perfect impartiality with regard to all religious and political differences, which has formed a most important element of their success, and has always been regarded as one of the grounds on which they have commanded the cordial approval of the steady friends of education.

"That petitioners earnestly deprecate the introduction of any member or members into the Senate of the Queen's University on the ground of their connexion with sectarian or denominational institutions.

"They deprecate with equal earnestness any alterations in the charter of the University by which any definite proportion of the members of the Senate would be required to be adherents of any particular Church. Such changes they deprecate as introducing a sectarian element into the constitution of the governing body; as calculated to place in it a number of persons avowedly and resolutely opposed to the fundamental principle of the University; as tending to impair the confidence of other denominations in the impartiality of its acts, and as almost certain to lead to further changes in its practical working, which, in the end, would utterly destroy its usefulness as a great national institution.

"That petitioners are decidedly opposed to any alteration in the terms of the University charter by which the Senate should be empowered to confer degrees on young men who either have not received any collegiate education, or have been trained in exclusive sectarian seminaries. Such a measure, they conceive, would greatly discountenance and discourage the principle of united education; would raise those exclusive sectarian seminaries to an importance which, if left to themselves, they would probably never attain; would entice away not a few students from those noble institutions which the legislature has raised for the purpose of training up the youth of Ireland of all denominations in common, and in habits of friendly intercourse and mutual esteem, and would practically hand over the whole of the rising generation to institutions in which they will necessarily be kept apart from each other during their early years, and will, too probably, be taught to regard each other with suspicion and dislike.

"Petitioners look upon the measures above indicated, or any others having a similar object, as a sad disappointment of the expectations which were held out to the legislature and to the country at the time when the Act for Queen's Colleges in Ireland was proposed and passed; as a grievous breach of faith with those generous persons who have already given large sums for the encouragement of education in the Queen's Colleges and Queen's University on a united and non-sectarian basis; and as an effectual barrier to the exercise of similar liberality by others, whether in the present or in coming times.

"Petitioners, therefore, most humbly pray your lordships' right honourable house to take such steps as to your lordships may seem best calculated to prevent the measures above indicated, or any others of a similar tendency, from being carried into effect, and petitioners as in duty bound will ever pray."

It was resolved:—"That the Report read should be received and entered on the minutes; and that the diligence of the members in fulfilling the duty assigned to them and in carrying out the wishes of the Association with reference to the various subjects referred to them be highly approved."

It was also resolved:—"That the General Committee be instructed to direct their attention, without delay, to the present state and prospects of the system of National Education, and of the Queen's University in Ireland."

The Association met on the 16th June, 1869, and the Report of the General Committee was read and adopted. The following extract is taken from an address to the then Lord Lieutenant, which is contained in the Report.

"Viewing the training of youth on sound and equitable principles as tending powerfully to promote individual virtue, social prosperity, and national liberty, we have peculiar pleasure in bearing our testimony to the beneficial tendency of the National system of education, as originally introduced to Parliament by the statesman who is now at the head of Her Majesty's Government, and of the provision made for the higher education of youth in the Queen's Colleges, and the Queen's University as originally constituted. These systems appear to us to have been as beneficial in their results as they were admirable in their conception, and we view with regret and alarm the inroads which have recently been made on their fundamental principles, those, namely, of United Education for the youth of all denominations; non-interference with the peculiar tenets of any church, and freedom from ecclesiastical control. We hope and trust that Your Excellency will discountenance and discourage all attempts to interfere with principles so equitable in themselves, and so admirably adapted to the state of this distracted country."

Again at a meeting held on the 23rd June, 1870, the Association protested against the State patronizing, endowing, or in any manner encouraging Seminaries constituted upon sectarian principles.

(Taken from the Minutes of the Association of Non-Subscribing Presbyterians of Ireland.)

THE CONGREGATIONALISTS, OR INDEPENDENTS, AND NATIONAL EDUCATION.

At a meeting of the Committee of the Irish Congregational Union, held in Belfast, November 17, 1871, duly convened to consider the resolutions and manifesto of the Roman Catholic Bishops in reference to the Irish National Education, the following resolutions (in harmony with and in furtherance of the resolutions on education passed at the late meeting of the Irish Congregational Union in Dublin) were unanimously passed:—

I. That we declare our continued approval of, and our steadfast adherence to, the principle of non-sectarian education; and we entirely disapprove of denominational education, as being unsuited to the state of this country, and calculated to perpetuate and intensify sectarian bigotry.

II. That, in accordance with the fundamental principles of the National system, we firmly hold that the consciences of minorities ought to be legally protected, and we protest against State aid, being given to schools in which the time-table conscience clause is not strictly enforced.

III. That we emphatically protest against the endowment of schools or colleges exclusively belonging to any religious denomination, as we believe that this would be concurrent endowment in its most objectionable form.

IV. That we hold that the Model Schools of this country are essential to the completeness and efficiency of the National system of education, and we therefore regard the action of the Board of Commissioners, in encouraging the erection of rival establishments, and supporting them out of the public funds, as highly objectionable and unjust.

V. That the large number of children of all denominations attending the National schools is a proof that the system has obtained the approval of the people; and whilst it affords reasonable facilities for religious instruction, it also secures for the young a sound secular education, free from the danger of proselytism; and we pledge ourselves to strenuously oppose all efforts to supplant the present by a denominational system.

VI. That while we sympathise with our English brethren in their present noble and arduous efforts to get rid of the objectionable clauses of the English Education Act, which enable the School Boards to tax the community for the payment of fees in denominational schools, we earnestly beg their assistance in our efforts to resist the demands recently and persistently made to place the education of this country in the hands and under the control of the Roman Catholic hierarchy.

(Daily Express, 20th Nov., 1871.)

ACTION of the NATIONAL EDUCATION LEAGUE for IRELAND (*referred to in the Statement at page* 59).

The following RESOLUTIONS were passed at a large and influential public meeting of the NATIONAL EDUCATION LEAGUE for IRELAND, held in the Ulster Hall, Belfast, on the evening of Friday, the 8th December, 1871:—

RESOLUTIONS.

Moved by Samuel Browne, Esq., Surgeon, R.N., ex-Mayor of Belfast; seconded by the Rev. J. Henry Deacon, Incumbent of Trinity Church, Belfast—

Resolution A.—That the Mayor of Belfast, Philip Johnston, Esq., J.P., do now take the chair.

DOCUMENTS, VII.

Moved by Thomas Sinclair, Esq., J.P., Belfast; seconded by Ynyr H. Burges, Esq., J.P., Parkanaur, Dungannon—

I. That whereas, a pastoral address has been issued by the Roman Catholic Archbishops and Bishops of Ireland, enjoining the laity of their Church to forward to Her Majesty's Government memorials demanding the establishment, at the public expense, of schools under their exclusive control, for the education of the youth of their communion—in which schools the fulness of Roman Catholic religious instruction shall be carried on without restriction throughout the entire school-day—in which the teachers shall be exclusively Roman Catholics, the books, even those employed for literary and scientific instruction, shall be largely imbued with Roman Catholic doctrine, the emblems of Roman Catholic devotion shall be permanently displayed, and the peculiar observances of the Roman Catholic Church shall be permitted at all hours of the day,—and the Inspectors of which shall be members of the Roman Catholic Church, enjoying the confidence of the Roman Catholic bishops, priests, and people,—we feel ourselves called upon to protest against these demands, as utterly inadmissible—as opposed to the interests of sound learning and the intellectual elevation of the people—as tending to prolong and imbitter sectarian strife—as tending to introduce, in direct contravention of the policy which has just received the deliberate sanction of the Legislature, the principle of concurrent endowment—and as exposing to the imminent danger of proselytism the children of other persuasions who might be compelled by necessity, or induced by other motives to attend such schools.

Moved by the Rev. Lowry E. Berkeley, Moderator of the General Assembly of the Presbyterian Church in Ireland; seconded by Joseph John Murphy, Esq., F.G.S., Oldforge Dunmurry—

II. That we hereby declare our continued adherence to the fundamental principle of the National system of education, viz., that of united literary and moral with separate religious instruction; and that we consider that system to be specially adapted to the wants and circumstances of Ireland, inasmuch as it provides the means of literary and moral instruction for children of all denominations without interfering with the religious convictions of any, gives due weight to parental authority, affords all proper and reasonable facilities for distinctive religious teaching, and unites young persons and teachers of various creeds in the same schools, allowing them opportunities of friendly intercourse, whereby it may be hoped that sectarian and political asperities will in process of time be assuaged if not removed: that we rejoice in the success which has hitherto attended the National system, and in the favour with which it has been received in all the provinces of Ireland, as evidenced by the continued increase in the number of the schools connected with it and in that of the pupils attending them; and that we will to the utmost of our ability oppose any inroad upon its fundamental principles as a national calamity.

Moved by William Johnston, Esq., M.P. for Belfast; seconded by W. J. C. Allen, Esq., J.P., Faunoran, Belfast—

III. That we hold it to be essential to the very idea of a State-supported system of National education, and more especially of one which is intended to unite the children belonging to all denominations in the same schools, that the State shall, through its duly appointed officers, exercise complete control over all the books employed in communicating literary and moral instruction, as a guarantee that such instruction shall be thorough and efficient, and that it shall not be made the instrument of propagating the peculiar tenets of any religious system.

Moved by Marriott R. Dalway, Esq., M.P. for Carrickfergus; seconded by the Rev. George C. Smythe, Vicar of Carnmoney—

IV. That we conceive it to be indispensable to any truly National system of education that the schools shall be inspected by officers appointed by the State without respect to religious denomination, whose duty it shall be to see that the rules of the National system are strictly adhered to, and to report on the condition of the schools and the progress of the pupils in secular knowledge.

Moved by the Rev. John Scott Porter, Belfast; seconded by the Rev. John Macnaughtan, Belfast—

V. That we regard a system of Training and Model schools under the control of the State itself, the object of which shall be to promote united education, to exhibit the best methods of literary and scientific instruction to surrounding schools, and to train young persons for the office of teacher, as a necessary branch of any National system of education; that we rejoice in the great efficiency and extensive usefulness of the Metropolitan and District Model schools which have been established by the Commissioners of National Education in Ireland; that we should regard their destruction, or their conversion into sectarian institutions, as has been demanded by the Roman Catholic prelates, as a grievous injury to the cause of sound learning, and a heavy calamity to our country; and that we shall therefore strenuously oppose every proposition for handing over their functions to sectarian seminaries, conducted under the auspices and subject to the exclusive control of any denomination.

Moved by the Rev. Joseph W. M'Kay, Belfast; seconded by the Rev. Dr. MacIlwaine, Incumbent of St. George's Church, Belfast—

VI. That the Council of the League be instructed and empowered to watch on our behalf any measures that may be proposed in Parliament or elsewhere on the subject of University and intermediate education; and to take such steps as they may deem advisable for preventing those important questions from being dealt with in a sectarian or denominational spirit.

Moved by the Rev. William Johnston, Belfast; seconded by J. P. Corry, Esq., J.P., Belfast—

VII. That we warmly sympathise with the efforts made by the English National Education League for the purpose of promoting the education of the entire youthful population of England on non-sectarian principles; that we are grateful for the aid which they have lent to us in our endeavours to carry out the same principle in this country; and that our especial thanks are due for the distinguished and cordial reception afforded to our deputation at the great public meeting held in Birmingham on the 16th and 17th of October.

Moved by the Rev. George T. Payne, Rector of Drumbeg, and Rural Dean of Hillsborough; seconded by John Lowry, Esq., Whiteabbey—

VIII. That a copy of the foregoing resolutions be signed by the Chairman, and sent forward to His Excellency the Lord Lieutenant of Ireland, and to all the Irish members of Parliament.

(Signed), PHILIP JOHNSTON, Chairman.

On the motion of J. Sharman Crawford, Esq., J.P., D.L., Crawfordsburn, seconded by Dr. Michael M'Gee, of Belfast, John Young, Esq., J.P., D.L., Galgorm Castle, Ballymena, was moved to the second chair; and a vote of thanks was passed by acclamation to the Mayor, for his able and dignified conduct in presiding over the meeting.

(Reprinted from the published Resolutions of the National Education League for Ireland.)

NATIONAL EDUCATION LEAGUE FOR IRELAND.

AT a meeting of the Council of the League, held in Belfast on the 29th January, 1873, the following Resolutions on the Irish University Question were unanimously adopted: the first and second having been originally agreed to at a Meeting held on 24th January, 1872, the third being now added as a supplement in the present crisis:—

RESOLUTIONS:

1st.—That we strongly disapprove of the proposal to deprive the existing Universities of their University powers, in order to replace them by a Central Examining Board nominated by the Government; believing that such a change would destroy academical independence, be deeply injurious to the interests of sound learning, and lead to interminable strife and confusion.

2nd.—That, in the proposal to abolish Tests, religious and clerical, in Trinity College and the University of Dublin, so as to open to all, without religious distinctions, the honours, the emoluments, and the government both of the College and the University, we see the basis of a reasonable settlement of the University question; and we are, therefore, of opinion that Mr. Fawcett's Bill, if its principle be consistently carried out in detail, will meet all the requirements of the case.

3rd.—That in the opinion of this Council, the constitution of the Queen's University in Ireland ought to be reformed by introducing into the Senate a larger infusion of the Academic element.

(Signed) GEORGE C. SMYTHE, J. SCOTT PORTER, R. G. JONES, THOMAS SINCLAIR, } Honorary Secretaries.

A. O'D. TAYLOR, Acting Secretary.

(Reprinted from the published Resolutions of the National Education League.)

TABLE showing the number of STUDENTS attending each CLASS in the QUEEN'S COLLEGES during the Session 1871-72, and distinguishing ROMAN CATHOLIC Students from those of other Denominations.

CLASS	Queen's College, Belfast.			Queen's College, Cork.			Queen's College, Galway.			Total in Queen's Colleges.		
	Roman Catholics.	Protestants of all Denominations.	Total.	Roman Catholics.	Protestants of all Denominations.	Total.	Roman Catholics.	Protestants of all Denominations.	Total.	Roman Catholics.	Protestants of all Denominations.	Total.
Greek,	2	62	64	16	15	31	13	14	27	31	91	122
Latin,	3	63	66	16	14	30	13	18	31	32	95	127
Mathematics,	4	62	66	14	17	31	18	18	36	36	97	133
The English Language,	1	35	36	13	11	24	10	10	20	24	56	80
History and English Literature,	1	34	35	4	6	10	6	6	12	11	46	57
Modern Languages,	6	124	130	34	45	79	30	36	66	70	205	275
Natural Philosophy,	6	98	104	30	42	72	28	26	54	64	166	230
Chemistry,	4	132	136	28	54	82	30	25	55	62	211	273
Zoology and Botany,	2	99	101	19	28	47	22	17	39	43	144	187
Geology and Physical Geography,	—	7	7	5	10	15	2	1	3	7	18	25
Logic,	1	37	38	3	3	6	5	10	15	9	50	59
Metaphysics,	—	15	15	1	3	4	1	2	3	2	20	22
Engineering,	2	21	23	6	16	22	5	5	10	13	42	55
Medical Jurisprudence	3	34	37	12	20	32	2	5	7	17	59	76
Anatomy and Physiology,	9	127	136	32	61	93	19	15	34	60	203	263
Practical Anatomy,	11	146	157	27	54	81	36	27	63	74	227	301
Practice of Medicine,	8	49	57	12	24	36	9	7	16	29	80	109
Practice of Surgery,	7	71	78	17	26	43	13	8	21	37	105	142
Materia Medica,	1	42	43	12	23	35	14	8	22	27	73	100
Midwifery,	3	43	46	17	26	43	9	6	15	29	75	104
English Law,	—	21	21	7	4	11	9	4	13	16	29	45
Political Economy,	—	11	11	—	—	—	2	—	2	2	11	13
Jurisprudence and Civil Law, &c.,	—	17	17	6	4	10	6	4	10	12	25	37

TOTAL NUMBER of STUDENTS attending each COLLEGE during the Session, 1871-72.

—	Roman Catholics.	Protestants of all Denominations.	Total.
Belfast,	17	341	358
Cork,	104	142	246
Galway,	79	62	141
Total,	200	545	745

PRIZES FOUNDED BY PUBLIC SUBSCRIPTION

(referred to in the Statement at page 59).

AT a Public Meeting of the University in October, 1861, Sir Robert Peel offered the sum of £1,200 to found three exhibitions* of 40 each, to be competed for annually for ten years; and he expressed his desire that these prizes should be tenable along with the small scholarships attached to the Queen's Colleges, in order that his benefaction might have the effect of increasing the value of the rewards provided for the most deserving students.

When announcing this munificent gift, Sir Robert Peel invited others to co-operate with him in thus endeavouring to promote United Education, without adding to the burden on the public purse; and his invitation met with so ready a response that it became necessary to form a committee, which should take charge of the subscriptions, and make regulations for the proper allocation of the funds. This committee consisted of Sir Robert Peel, Bart., M.P. (*Chairman*); the Duke of Leinster; the Lord Talbot de Malahide, F.R.S.; the Right Honorable Abraham Brewster, M.A., Q.C.; Sir James Emerson Tennent, LL.D.; James Naper, D.L.; Alexander Thom, Esq.; Benjamin Lee Guinness, Esq.; William Malcomson, Esq.; and G. Johnstone Stoney, M.A., F.R.S. (*Honorary Secretary*).

The annexed list contains the names of the subscribers, with the sums contributed by each:—

		£	s.	d.
His Grace the Duke of Leinster,	£300,	300	0	0
Viscount Palmerston,	£100,	100	0	0
His Excellency the Earl of Carlisle, *Lord Lieutenant of Ireland*,	£100,	100	0	0
The Earl of Clarendon, *Chancellor of the University, Ex-Viceroy of Ireland*,	£20, for five years,	100	0	0
The Marquess of Lansdowne,	£25, for five years,	125	0	0
Sir Robert Peel, Bart., *Chairman of Committee*,	£120, for ten years,	1,200	0	0

* This allocation was afterwards changed, and Sir Robert Peel's benefaction merged in the general fund, in order that it might aid in establishing the connected series of prizes which the support of the public enabled the Committee to found.

DOCUMENTS, VII.

			£	s.	d.
Alexander Thom, Esq.,	£60,	for ten years,	600	0	0
Lord Talbot de Malahide,	£5,	for five years,	25	0	0
The Right Hon. A. Brewster, Q.C.,	£50,		50	0	0
Sir J. Emerson Tennent,	5 guineas,	for ten years,	52	10	0
James Naper, Esq., D.L.,	£5,	for five years,	25	0	0
William Malcomson, Esq.,	£60,	for ten years,	600	0	0
Benjamin Lee Guinness, Esq.,	£25,	for ten years,	250	0	0
John William Carleton, Esq., Q.C.,	£10,		10	0	0
Allan Pollock, Esq.,	£25,		25	0	0
Henry H. Stewart, Esq., M.D.,	£120,		120	0	0
Sir Edward Coey,	£10,	for ten years,	100	0	0
G. J. Stoney, Esq., F.R.S., *Hon. Sec. of Committee,*	£30,		30	0	0
Henry Harding, Esq., J.P.,	£25,	for five years,	125	0	0
Richard Owen O'Conor, Esq.,	£1,		1	0	0
Robert Sullivan, Esq., LL.D.,	£60,	a-year during his life.			
Thomas Casement, Esq., J.P.,	£20,	for at least five years,	100	0	0
Robert Saunderson, Esq., M.D.,	£2,		2	0	0
J. Macnamara Cantwell, Esq.,	£5,		5	0	0
Lieutenant-Colonel Barton, D.L.,	£2,	for ten years,	20	0	0
George Orr Wilson, Esq.,	£40,	for five years,	200	0	0
Stephen Roche, Esq., J.P.,	£10,		10	0	0
Rev. George Harrisson Reade,	£1,	for five years,	5	0	0
John M'Evoy, Esq.,	£1,		1	0	0
T. S. Lindsay, Esq., sen., D.L.	£5,	for five years,	25	0	0
John Ross Mahon, Esq., J.P.,	£25,		25	0	0
William Forster, Esq., D.L.,	£5,		5	0	0
Lord Oranmore,	£5,	for five years,	25	0	0
Vere Foster, Esq.,	£10,	for ten years,	100	0	0
The Very Rev. the Dean of Waterford,	£3,		3	0	0
Vaughan Montgomery, Esq.,	£2,		2	0	0
Lieutenant-General Hall, C.B., J.P.,	£5,	for five years,	25	0	0
Ynyr H. Burges, Esq., J.P.,	£5,		5	0	0
John Ryall, Esq., LL.D.,	£25,		25	0	0
Robert Mackay Wilson, Esq.,	£20,	for ten years,	200	0	0
J. P. H. Kennedy, Esq.,	2 guineas,		2	2	0
John Franks, Esq., J.P.,	£5,		5	0	0
Q.C., "Ex-Scholar, T.C.D.,"	£10,		10	0	0
Lord Dunalley,	£10,	for ten years,	100	0	0
P. C. Howley, Esq., R.M.,	£1,	for five years,	5	0	0
Sir Robert Kane, F.R.S.,	£20,	for five years,	100	0	0
G. F. Brady, Esq.,	£1,	for five years,	5	0	0
The Lord Bishop of Derry,	£50,		50	0	0
William R. La Touche, Esq.,	£10,		10	0	0
George Warner Slator, Esq.,	2 guineas,	for five years,	10	10	0
Thomas Hutton, Esq., D.L.,	£5,	for five years,	25	0	0
Robert Galloway, Esq., F.C.S.,	£5,		5	0	0
Rev. C. S. Langley,	£5,	for five years,	25	0	0
S. Hanna, Esq., R.M.,	£5,		5	0	0
Henry Thomas Hope, Esq., J.P.,	£25,	for two years,	50	0	0
Wainright Crowe, J.P.,	£2,		2	0	0
Sir James Murray, M.D.,	£5,	a-year during his life.			
Rev. Arthur G. Ryder, D.D.,	£30,		30	0	0
Francis Ryan, Esq., Mayor of Clonmel,	£5,		5	0	0
Thomas Andrews, Esq., M.D., F.R.S.,	£200,		200	0	0
Richard Dawson, Esq., J.P.,	£2,	for ten years,	20	0	0
Sir Richard Musgrave, Bart., D.L.,	£5,	for five years,	25	0	0
John Brown, Esq., J.P.,	£2,	for five years,	10	0	0
Very Rev. Viscount Montmorres,	£3,	for five years,	15	0	0
J. H. Swanton, Esq., J.P.,	£2,	for ten years,	20	0	0
Maurice Fitzgerald, Esq.,	2 guineas	for five years,	10	10	0
Wm. R. Starkie, Esq., R.M.,	£3,		3	0	0
Hon. Dudley F. Fortescue, J.P.,	£5,	for five years,	25	0	0
Bolton J. Waller, Esq., J.P.,	£10,		10	0	0
Henry Griffith, Esq., D.L., J.P.,	£1,	for five years,	5	0	0
Sir Robert Lynch Blosse, Bart.,	£10,	for five years,	50	0	0
Edward Berwick, Esq.,	£10,	for ten years,	100	0	0
Joseph O'Leary, Esq.,	£1,	for ten years,	10	0	0
William Nesbitt, Esq.,	£1,	for ten years,	10	0	0
Thomas W. Moffett, Esq., LL.D.,	£1,	for ten years,	10	0	0
Charles Croker King, Esq., M.D.,	£1,	for ten years,	10	0	0
Augustus Bensbach, Esq., M.D.,	£1,	for ten years,	10	0	0
Edward Townsend, Esq.,	£1,	for ten years,	10	0	0
Arthur Hill Curtis, Esq.,	£1,	for ten years,	10	0	0
Thomas H. Rowney, Esq.,	£1,	for ten years,	10	0	0
William King, Esq.,	£1,	for ten years,	10	0	0
James V. Browne, Esq., M.D.,	£1,	for ten years,	10	0	0
Richard B. Bagley, Esq.,	£1,	for ten years,	10	0	0
W. B. Campion, Esq.,	£1,	for ten years,	10	0	0
A. G. Melville, Esq., M.D.,	£1,	for ten years,	10	0	0
Thomas Skilling, Esq.,	£1,	for ten years,	10	0	0
N. Colahan, Esq., M.D.,	£1,	for ten years,	10	0	0
John Richardson, Esq.,	£1,	for ten years,	10	0	0
Arthur Ireland, Esq.,	£1,	for ten years,	10	0	0
William Lupton, Esq.,	£1,	for ten years,	10	0	0
Edward Divers, Esq., M.D.,	£1,	for at least five years,	5	0	0
James Gibson, Esq., Chairman of Queen's County,	£10,	for five years,	50	0	0
William Pennefather, Esq., J.P.,	£1,	for five years,	5	0	0
Joseph Cox, Esq., R.M.,	£1,		10	0	0
Marcus Goodbody, Esq., J.P.,	£25,		25	0	0
T. B. Teulon, J.P.,	£2,		2	0	0
Wm. James Shaw, Esq., J.P.,	2 guineas,		2	2	0

		£	s.	d.
Rev. Abraham S. Fuller, M.A.,	£2, for five years,	10	0	0
James A. Lawson, Esq., Q.C., Solicitor-General,	£25,	25	0	0
George J. Allman, Esq., LL.D.,	£1, for ten years,	10	0	0
Richard Doherty, Esq., M.D.,	£1, for ten years,	10	0	0
Lord Leconfield,	£100,	100	0	0
Wm. O'Connor Morris, Esq., J.P.,	£1, for five years,	5	0	0
Thomas De Moleyns, Esq., J.P.,	£10,	10	0	0
Charles Arabin, Esq., R.M.,	£3,	3	0	0
Francis Goold Morony, J.P.,	£2,	2	0	0
Echlin Molyneux, Esq., Q.C., Chairman of County Meath,	£10, for ten years,	100	0	0
William Scott, Esq., M.D.,	£1, for at least three years,	3	0	0
John E. Cairnes, Esq.,	£1, for ten years,	10	0	0
Lord Cremorne,	£30,	30	0	0
John R. Corballis, Esq., Q.C., Chairman of County Kilkenny,	£10,	10	0	0
Rev. E. F. Day, J.P.,	£3,	3	0	0
Rev. W. Maziere Brady,	£1, for five years,	5	0	0
Robert Peel Dawson, Esq., M.P.,	£5, for two years,	10	0	0
William Coates, Esq., J.P.,	£5, for ten years,	50	0	0
Lieutenant-General J. Dawson Rawdon, J.P.,	£25,	25	0	0
John Elliott, Esq., M.D., by the Dean of Waterford,	£1,	1	0	0
Henry E. Turner, Esq., J.P.,	£5,	5	0	0
Viscount Massereene and Ferrard,	£20, for five years,	100	0	0
George H. Lindsay, D.L.,	£5,	5	0	0
Thomas Jennings, Esq.,	£10,	10	0	0
T. C. Stewart Corry, Esq., M.D.,	£1, for five years,	5	0	0
H. G. Curran, Esq., R.M.,	£2, for five years,	10	0	0
The Hon. Judge Hargreave, LL.D.,	£10, for three years,	30	0	0
Charles Putland, Esq.,	£10,	10	0	0
Rev. William Studdert Kennedy,	£1,	1	0	0
The Honorable Judge Kelly, LL.D.,	1 guinea, for ten years,	10	10	0
Henry M'Cormac, Esq., M.D.,	£1, for five years,	5	0	0
"A Friend," by Sir J. Emerson Tennent,	£5, for five years,	25	0	0
John Wilson, J.P.,	£10,	10	0	0
Pilsworth Whelan, Esq., R.M.,	£5,	5	0	0
John Rintoul, Esq., M.A.,	£2, for five years,	10	0	0
The Honorable Judge Berwick,	£10, for ten years,	100	0	0
James Flynn, Esq., a donation of £2, and	£1, for three years,	5	0	0
The Very Rev. the Dean of Elphin,	£2, for five years,	10	0	0
Rev. John Edgar, D.D.,	£1, for ten years,	10	0	0
James L. M'Cance, Esq., R.M.,	£5,	5	0	0
Rev. John Fitzgerald Day,	£1, for five years,	5	0	0
Alexander Findlater, Esq.,	£50, for four years,	200	0	0
Sir John Macneill, J.P.,	£5 a-year during his life.			
Frederick John Foster, Esq., D.L.	£5,	5	0	0
John Shuldham, Esq., D.L.,	£5, for five years,	25	0	0
"M.D.,"	£5,	5	0	0
Frederick H. Henry, Esq., J.P.,	£10,	10	0	0
David Fielding Jones, Esq., J.P.,	£5,	5	0	0
The Hon. David Plunket,	£5, for five years,	25	0	0
Sir Charles H. Coote, Bart., D.L.,	£10, for five years,	50	0	0
Lord Blayney,	£20 a-year until further notice.			
The Marquess of Headfort,	£10, for five years,	50	0	0
M. L. L.,	£5,	5	0	0
J. W. Browne, Esq.,	£5,	5	0	0
Thomas Dunphy, Esq., J.P.,	£1, for five years,	5	0	0
John Evans Delmege, Esq., J.P.,	£1, for five years,	5	0	0
W. Knaresborough, Esq., R.M.,	£2, for three years,	6	0	0
Michael Galwey, R.M.,	£1, for five years,	5	0	0
Arthur French, Esq., R.M.,	£1, for five years,	5	0	0
J. Little, Esq., R.M.,	5 guineas,	5	5	0
John O'Donohue,	£1,	1	0	0
Francis Harding, J.P.,	£3, for five years,	15	0	0
—— Edgeworth, Esq.,	£5,	5	0	0
W. H. Hardinge, Esq.,	£2 a-year during his life.			
Mr. Sergeant Sullivan,	£25,	25	0	0
Ed. Falconer Litton, Esq.,	£2, for five years,	10	0	0
Daniel O'Riordan, Esq.,	£10,	10	0	0
Right Honble. Alexander Macdonnell,	£10, for five years,	50	0	0
John M'Donnell, Esq., M.D.,	£5, for five years,	25	0	0
James M'Donnell, Esq.,	£2, for five years,	10	0	0
Robert M'Donnell, Esq., M.D.,	£2, for five years,	10	0	0
William Drennan, Esq.,	£1, for five years,	5	0	0
Charles Taaffe, Esq.,	£25,	25	0	0
Hugh Law, Esq., Q.C.,	£25,	25	0	0
Richard Dowse, Esq.,	£5,	5	0	0
William J. Chamney, Esq.,	2 guineas, for at least ten years,	21	0	0
Edmund Meares Kelly, Esq.,	£2, for five years,	10	0	0
The Baron de Robeck,	£5,	5	0	0
H. B. Coddington, Esq.,	£5,	5	0	0
Robert Taylour, Esq., LL.D.,	£1, for five years,	5	0	0
Samuel Ferguson, Esq., Q.C.,	£3,	3	0	0
William R. Cusack Smith, Esq.,	£2, for five years,	10	0	0
The Rev. P. S. Henry, D.D.,	£15 a-year during his life.	1	0	0
Joseph Dunbar, Esq.,	£1,	5	0	0
William Talbot Crosbie, Esq., D.L.,	£5,	50	0	0
William A. Hunter, Esq.,	£5, for ten years,	60	0	0
William Allen, Esq., J.P.,	£10, for six years,	20	0	0
Alderman Roe, D.L.,	£20,	6	0	0
Langford Rae, Esq.,	£1, for six years,			

DOCUMENTS, VII.

		£	s.	d.
Bartholomew M'Corkell, Esq.,	£50,	50	0	0
General Sir George Brown, G.C.B.,	£20,	20	0	0
Wyville Thomson, Esq., LL.D.,	5 guineas, for six years,	31	10	0
H. Sadleir Ridings, Esq.,	£1,	1	0	0
John Kenny, Esq.,	£1,	1	0	0
Martin J. Crean, Esq., M.D.,	£1,	1	0	0
Barry Delany, Esq., M.D.,	1 guinea, for five years,	5	5	0
John Duggan, Esq.,	£1, for six years,	6	0	0
Joseph H. Corbett, Esq., M.D.,	£5, and £1 for five years,	10	0	0
Lord Ashtown,	£100,	100	0	0
John Drummond, Esq.,	£10,	10	0	0
Alderman Atkinson,	£20, for five years,	100	0	0
Robert R. Kane, Esq.,	£1,	1	0	0
J. A. Millar, R.E.,	£5,	5	0	0
John Moorhead, Esq., M.D.,	£1, for five years,	5	0	0
Lancelot Studdert, LL.D.,	£1, for three years,	3	0	0
Colonel Harrison,	£3,	3	0	0
J. W. Hatchell, Esq., M.D.,	£1, for ten years,	10	0	0
Michael M. Gould, Esq.,	£10,	10	0	0
H. M. Jones, Esq.,	£100,	100	0	0
His Grace the Duke of Wellington,	£50,	50	0	0
G. W. Hemans, Esq.,	£3, for seven years,	21	0	0
Rev. Moffatt Jackson,	£2,	2	0	0
William Lover, Esq., M.D.,	£1,	1	0	0
George L. Craik, Esq., LL.D.,	£1 a-year till further notice.			
Miss Hamilton,	£1,	1	0	0
John Jameson, Esq.,	£25,	25	0	0
William J. Martin, Esq., M.D.,	£1, for eleven years,	11	0	0
Waldron Burrowes, Esq., J.P.,	£1, for five years,	5	0	0
T. O. Lees, Esq.,	£5,	5	0	0
Y. Z.,	£1, for twenty years,	20	0	0
Charles Hopes, Esq.,	£50,	50	0	0
Colonel John Kelsall,	£1,	1	0	0
William M'Creedy, Esq.,	£3, for five years,	15	0	0
Edward Smith, Esq.,	£5,	5	0	0
John Kane, Esq.,	£10,	10	0	0
Charles C. Connor, Esq.,	£3,	3	0	0
Henry Bruen, Esq., M.P., D.L.,	£10, for five years,	50	0	0
Rev. Charles E. Tisdall, D.D.,	£1, for five years,	5	0	0
Henry Thynne, Esq.,	£1, for five years,	5	0	0
George Chapman, Esq.,	£1,	1	0	0
James Wilson, Esq.,	£2, for ten years,	20	0	0
Rev. Robert Vance,	£3,	3	0	0
Lieutenant-General Young,	£5,	5	0	0
John J. Lloyd, Esq., J.P.,	£5,	5	0	0
Edward Russell, Esq.,	£5,	5	0	0
Brinsley Marlay, Esq., D.L.,	£25,	25	0	0
John Addey, Esq.,	£1 a-year till further notice.			
Samuel H. Gowan, Esq.,	£1,	1	0	0
Arthur P. Cleary, Esq.,	£1, for ten years,	10	0	0
Sadleir Stoney, Esq., J.P.,	£1,	1	0	0
William Barker, Esq., M.D.,	£3,	3	0	0
Robert Nesbitt, Esq.,	£1,	1	0	0
The Earl Fortescue,	£25, for three years,	75	0	0
Gilbert Weir, Esq.,	£1, for ten years,	10	0	0
S. A. Cochrane, Esq.,	£1 a-year till further notice.			
Charles Hurst, Esq., M.D.,	1 guinea, for ten years,	10	10	0
Richard Barrington, Esq.,	£5 a-year until further notice.			
John Busteed, Esq.,	£1, for five years,	5	0	0
Richard Dowd, Esq.,	£1, for five years,	5	0	0
Thomas Wilson, Esq.,	£5,	5	0	0
"A Friend," by James Wilson, Esq.,	£2,	2	0	0
"A Country Parson,"	£1,	1	0	0
J. B. Ball, Esq.,	£100,	100	0	0
Michael T. Bass, Esq., M.P.,	£20, for five years,	100	0	0
Rev. Richard Wrightson,	£1,	1	0	0
William O'Halloran, Esq.,	£5,	5	0	0
Edward Hutton, Esq., M.D.,	£10,	10	0	0
Per Gilbert Weir, Esq.:—				
City of Glasgow Bank,	2 guineas,	2	2	0
James Pritchard, Esq.,	2 guineas,	2	2	0
Alexander Hayes, Esq.,	£1,	1	0	0
Robert M'Cowan, Esq.,	£1, for three years,	3	0	0
J. and C. Browne & Co.,	£1, for five years,	5	0	0
William Barrett, Esq.,	£1,	1	0	0
Peter Redfern, Esq., M.D.,	£10,	10	0	0
Lieut.-Colonel J. Roxburgh,	£2,	2	0	0
Rev. Samuel Moore,	£2,	2	0	0
R. Waters, Esq., M.D.,	£2,	2	0	0
William G. Andrews, Esq.,	£5,	5	0	0
Thomas Fitzgerald, Esq., J.P.,	£5,	5	0	0
William Molony, Esq.,	£1,	1	0	0
Edward J. M'Sheehy, M.D.,	3 guineas,	3	3	0
C. Joynt, Esq., M.D.,	£5 a-year until further notice.			
R. N. Matheson, Esq.,	£5,	5	0	0
Captain Norton,	£100,	100	0	0
John Purser, Esq., M.A.,	£1, for ten years,	10	0	0
John Duggan, Esq., M.A.,	£1, for six years,	6	0	0

VIII.

Reports from Her Majesty's representatives abroad on the provision made in Foreign Countries for the University Education of Roman Catholics.*

CIRCULAR addressed to HER MAJESTY'S REPRESENTATIVES in EUROPE and AMERICA.

Foreign Office, February 16, 1897.

SIR,

I have to request that your Excellency will obtain and forward to me, for the information of the House of Commons, a Report on the provision made for the University education of Roman Catholics in , with special reference to the constitution of the Universities, the amount of their endowments, and the sources from which they have been derived, the number of persons receiving University education in proportion to the Catholic population, and the relation of the Universities to the Episcopate.

I am, &c.,

(Signed), SALISBURY.

REPLIES to PRECEDING LETTER.

ARGENTINE REPUBLIC.

No. 1.

Mr. Barrington to the Marquess of Salisbury.—(*Received January* 17, 1898.)

Buenos Ayres, December 23, 1897.

MY LORD,

In answer to your Lordship's Circular despatch of the 16th February last, I have the honour to report that the substance of the information with which I have been furnished by the Argentine Government with respect to the University education of Roman Catholics in this country is to the following effect:—

There are two Universities in the Republic, viz., at Buenos Ayres and at Cordoba, but both are lay in character, and neither is in any relation with the Episcopate, nor are there in either any special dispositions affecting the education of Roman Catholics. Their funds are derived from matriculation and examination fees, supplemented by a grant allotted to them in the annual Argentine Budget.

As at present existing, the Universities were constituted in virtue of a law passed in June, 1885, and at first there were but three faculties represented, viz., Law, Medicine, and exact Science. To these the Buenos Ayres University has since added Philosophy and Letters, while Cordoba has admitted Divinity, which was the sole faculty of the old University of San Carlos, now incorporated in the newer institution, but which will not be in active operation till the necessary funds are provided by the Budget.

The number of students at the Buenos Ayres University in the current year was 2,348, but the lectures being open to all religions, and no one attending them being required to specify to which he belongs, it is not possible to establish any proportion of those professing the Roman Catholic faith.

The same remark applies to Cordoba, where the number of students on the University books this year was 249.

I have, &c.,

(Signed), WILLIAM A. C. BARRINGTON.

AUSTRIA-HUNGARY.

No. 2.

Sir H. Rumbold to the Marquess of Salisbury.—(*Received June* 19.)

Vienna, June 14, 1897.

MY LORD,

In reply to your Lordship's Circular despatch of the 16th February last, calling for a Report on the provision for the University education of Roman Catholics in Austria-Hungary, with special reference to the constitution of the Universities, the amount and sources of their endowments, &c., I have now the honour to inclose (1) translation of the law of the 27th April, 1873, respecting the constitution of the Universities in Austria; (2) translation of a statement kindly furnished to me by the Minister for Foreign Affairs respecting the revenue and expenditure of Austrian Universities, and the number of Catholic students in proportion to the Catholic population; (3) translation of information on the same subjects with respect to the Hungarian Universities.

I have, &c.,

(Signed), HORACE RUMBOLD.

Inclosure 1 in No. 2.

Law of April 27, 1873, *respecting the Organization of Universities.*

(Translation.)

With consent of both Houses of the Reichsrath, We decree as follows:—

1. That the Universities shall consist of sub-divisions bearing the name of "Faculties."

The Faculties consist of the staff (College) of teachers, and of the matriculated students.

2. The College of Teachers of a Faculty, consists of all the ordinary and extraordinary Professors, of the private teachers of the Faculty, and of the teachers in the narrower sense of the word.

The ordinary and extraordinary Professors are permanently appointed by the State.

Private teachers are not appointed by the State, but are permitted to teach. In consequence of this per

* Parliamentary Paper, 1900. Cd. 37.

mission, they acquire the right to publicly announce their lectures at the University, and to hold the same in one of the lecture rooms.

Teachers in the narrower sense of the word, are those who do not represent a science, but rather an art or accomplishment ("Fertigkeit"). Among such are included teachers of living languages, inasmuch as they have not to teach from a scientific but from a practical point of view.

3. Teachers in one Faculty who wish to lecture on subjects of another, require the consent of the latter. If no understanding can be arrived at, the Academic Senate decides, from whose decision an appeal is allowed to the Minister of Public Education.

4. The College of Professors is regarded as the ruling body of the whole College of Teachers.

5. The College of Professors consists of all the ordinary and extraordinary Professors. However, the number of the latter must not be more than half that of the former.

In this case those extraordinary Professors are admitted who have precedence by their seniority in that capacity.

In order that the private teachers may be represented in the ruling body, two of them have seats and consultative votes in all questions brought up for decision.

They have only a decisive vote in the cases which will be defined in 6 and 10.

These private teachers must, however, have taught for at least two terms in the Faculty. If more than two are qualified for admission, the whole body of private teachers elect their two representatives once a-year from among those qualified.

6. The ruling body elects its President once a-year from among the ordinary Professors. The President is called "Decan," or Dean.

The two private teachers with seats in the College of Professors take part in this election.

7. An absolute majority of votes is necessary in order to render an election valid. If such be not obtained after a second election, a more limited election is held, in which only those candidates are put up who have had the greatest number of votes at the second election, or, if there are not more, the two at the head of the poll.

If the third election leads to no result, the Senate of the University decides between the candidates voted for in the limited election. The retiring Dean is eligible for re-election.

8. Only the retiring Dean can decline an election without giving his reasons for so doing. Every other member is bound to give reasons for a refusal, on the admissibility of which the electors vote without further debate.

9. The Senate of the University ("Academische Senat") is taken from the College of Professors.

It consists of the Rector, the Pro-Rector (Rector of the preceding year), and of one member from each College of Professors. The latter are elected by the Colleges of Professors for a period of three years at the election of the Dean, and extraordinary Professors are eligible for the post. Retiring members are re-eligible. In case of refusal to accept such an election, the provisions of 8 are applicable.

10. The Rector is elected once a-year from among the ordinary Professors of all the Faculties. The retiring Rector is re-eligible.

He is elected by the Colleges of Professors, including the private teachers belonging thereto. For this object each College of Professors elects four members from among themselves, two of whom must be ordinary Professors, but the other two may be either extraordinary Professors or private teachers.

Those thus elected meet under the presidency of the retiring Rector, and elect the Rector with the procedure prescribed for the election of the Dean. If a limited election is without result, it is decided by lot. If the Rector elect declines the post, the same procedure is followed as in the election of a Dean under similar circumstances; an appeal lies to the Minister of Public Education.

11. Eligibility of Academic office is not dependent on creed.

12. The election of University authorities for each University year takes place in the second half of the eleventh month of the preceding University year. The appointments, together with the reports of the elections, are to be immediately submitted for approval to the Minister of Education.

The new authorities take up office eight days before the beginning of the new University year, *i.e.*, if they have received the Ministerial approval. Up to that time the old authorities hold office; the Solemn Installation, where such is customary, is to take place at the beginning of the University year.

13. If the Rector is absent, or is prevented from fulfilling his duties, he is to be replaced by the Pro-Rector, and the latter by the Dean of the Faculty to which the Rector belonged, and under similar circumstances the Dean is to be replaced in the College of Professors by the Pro-Dean, and the latter by the senior ordinary Professor.

If a University official is permanently prevented from performing his duties, the College in question, the University Senate, has to decide whether there should be a fresh election, or whether his post is to be filled in accordance with the provisions of this paragraph.

14. The College of Professors meets for ordinary or extraordinary sittings on the invitation of the Dean.

It deals with all subjects connected with education and discipline which are not reserved to be dealt with by the University Senate.

Each Faculty has particularly to provide for the following subjects:—

1. The care of the thoroughness of the lectures in the Scientific Department intrusted to it, and the right of addressing proposals to the Minister of Education respecting the appointment of Professors. The Faculty has also particularly to arrange the programme of lectures in each term, so that each student who spends the legal time in the Faculty should have opportunity of hearing lectures from Professors on all the principal branches of the science in question.

2. The care of all seminaries, establishments, institutions, and meetings connected with the Faculty, in so far as such care be not the duty of the Heads of these institutions.

3. The superintendence of the students inscribed in the Faculty.

4. The conferring of Doctors' degrees with the authority of the University.

5. The giving of opinions on subjects belonging to the Department of Science allotted to the Faculty.

15. Every Professor who is a member of the College of Professors is bound to be present at meetings of the same, or to give an excuse for his absence.

The Body of teachers decides as regards the admissibility of such excuses, without discussion. The decision is recorded in the Report of the meeting.

If a Professor does not put in an appearance at three consecutive sittings, and if his absence is not considered justifiable by the body of teachers, or if he frequently absents himself, the Dean is bound to request his attendance in writing, and if this request has no effect, to report the case to University Senate. If this step is also unsuccessful the University Senate has to report the case to the Minister of Education.

16. The half of the Professors who are members of a College form a quorum, without which decisions are invalid.

17. Towards the end of the University year the Dean is to call a general meeting of all teachers, including private teachers and instructors in the narrower sense, at which the wishes and proposals of all present on the subject of education and discipline are to be brought forward and discussed.

The Report of the meeting, respecting which the College of Professors has to draw up an opinion, is to be sent to the Ministry, together with the opinion of the Professors.

18. The Dean is the President of the Faculty and the Chairman of the Professors' Colleges; he has the principal responsibility for the execution of the Laws and Regulations respecting it; consequently his duty is to watch over the execution of these Laws, to draw attention to anything wanting therein, to censure any shortcomings, and in case of need, to call the attention of the University Senate. He has especially to provide for the observance of the procedure prescribed for the examination for Doctors' degrees.

If he thinks that he cannot be answerable for the execution of a Resolution of the College he has to lay the case before the Minister of Education.

He dispatches current business where a simple application of existing Regulations is required, reporting thereon to the College of Professors at their next sitting; where delay would be dangerous he has to issue the necessary instructions himself.

19. The University Senate is the chief authority of the University.

The general affairs of the University come under its jurisdiction, whether they be questions of administration, of education, or of discipline, as well as all matters which are allotted to it by law, by statute, or according to the foundation.

The Senate has to superintend everything belonging to the University. It has the right of looking into all the proceedings in the Colleges of Professors, and to inhibit the proceedings of the various Colleges subject to the decision of the Ministry.

The University officials and servants are under its orders. It exercises discipline over the whole staff of the University and over the students, as regards the latter to the extent laid down in the Regulations on that subject.

The first appeal against decisions of the Dean and of the Colleges lies to the Senate, and it also decides questions of jurisdiction between the various Colleges; it has to lay questions of jurisdiction between the Colleges and itself before the Minister.

The Colleges correspond with the Minister through the Senate, which is entitled to express its opinion on correspondence which it sends in.

20. The Senate of the University meets for ordinary and extraordinary sittings on the invitation and under the chairmanship of the Rector.

The members thereof are bound to be present in accordance with Section 15.

For a decision to be valid there must be an absolute majority of votes, and at least half the members must be present.

21. The Rector is the President of the University Senate, and his duties as regards the Senate are the same as those of the Dean as regards the College of Professors.

He is especially intrusted with the management of the business of the Senate.

22. The business Regulations of the Senate and of the Colleges of Professors are subject to the approval of the Minister of Education.

23. The Colleges of Doctors existing at the Universities of Vienna and Prague cease to form part of the Faculties and Universities. Consequently all those Regulations and duties are abolished.

(*a.*) According to which the Colleges of Doctors above mentioned had a share in the property, and a part in the management and administration of the affairs of the Faculty or University, and especially a share in the examinations for Doctors' degrees and deeds of promotion, as well as the right of levying fees for the same.

(*b.*) According to which admission to practice was conditional on entry into one of these Colleges.

(*c.*) According to which, on occasion of promotion, certain payments had to be made to the Colleges of Doctors of special Faculties, or to their Widows' Associations.

24. The Colleges of Doctors continue to exist as independent corporations, and have the following rights:

(*a.*) The right to the property hitherto belonging to them, and which has been administered by them independently of the University Senate and of the Rector.

(*b.*) The right to administer and to bestow those foundations which have hitherto been independently administered and bestowed by them.

(*c.*) The right to their archives with exception of those documents relating to the subjects mentioned in Section 23.

(*d.*) Their rights as regards the Widows' Associations connected with them.

25. In cases of dispute as to the partition between a University or Faculty and the College of Doctors, the Minister of Education decides, except in cases suitable for the intervention of the Law Courts.

26. The office of Chancellor at the Universities of Vienna and Prague belongs to the Catholic Theological Faculty.

27. The Minister of Education is charged with the execution of the law, and has to issue the necessary orders for putting it in force.

(Signed), FRANCIS JOSEPH.

(Signed), STREMAYR.
AUERSPERG.

Vienna, April 27, 1873.

Inclosure 2 in No. 2.

(Translation.)

1. REVENUE and Expenditure of eight Universities, viz., Vienna, Graz, Innsbruck, Prague (German), Prague (Bohemian), Lemberg, Krakau, and Czernowitz.

	Revenue, 1890.	Expenditure, 1897.
	Guldens (Austrian currency).	Guldens (Austrian currency).
Income from freehold property of the High School, ..	1,236	
Foundation funds, ...	721	
From Catholic religious funds, ...	28,000	
„ Oriental Greek religious funds, ...	20,224	
„ other public funds, ...	2,450	
„ Military State funds, ...	1,194	
„ funds belonging to provinces represented in the Reichsrath.	2,898,388	3,758,274
„ provincial funds, ...	10,047	
„ Parochial (Communal) funds, ...	10,500	
„ College revenue, ...	27,666	
Matriculation fees, ...	15,940	
Other sources of revenue, ...	30,158	
Total, ...	3,046,524	3,758,274

2. EXPENDITURE on the Staff of the Theological Faculties at the Universities in Vienna, Innsbruck, Graz, Prague, Lemberg, and Krakau.

	Guldens (Austrian currency).
In the year 1890, ...	129,353
In the year 1897, ...	146,037

3. REVENUE and Expenditure of the two Roman Catholic Theological Faculties in Salzburg and Olmutz.

	Revenue. 1890.	Expenditure. 1897.
	Guldens (Austrian currency).	Guldens (Austrian currency).
From the Catholic religious funds, ...	38,969	30,600
From the educational fund and from funds belonging to countries, &c., represented in the Reichsrath, ..	22,232	
Total, ...	61,201	30,600

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4. REVENUE and Expenditure from the Five Episcopal Schools for Roman Catholic Clergy and of the Clerical Seminaries connected therewith.

	Revenue, 1890.	Expenditure. 1897.
	Guldens (Austrian currency).	Guldens (Austrian currency).
Interest and income derived from property belonging to the schools, ...	49,411	
From foundation funds, ...	1,992	
,, the Catholic religious funds, ...	314,699	
,, other public funds, ...	592	576,555
,, special revenue of the boarding establishments in connection with these schools, ..	159,815	
,, other sources of income, ...	7,630	
Total, ...	534,139	576,555

5. The educational establishments of the various orders for the bringing up of the Roman Catholic clergy are supported by the orders in question. Concerning these establishments there are no statistics.

6. The institution for the higher education of priests at St. Augustine, in Vienna.

The expenses of this institution, into which Hungarian clergy are also received, are met from the religious funds connected therewith, and from a subvention from the Imperial purse.

The expenditure amounted in 1890 to 28,250 guldens.

7. Number of Students in all the Universities and Faculties:—

In the winter term, 1890-91, . .	15,883
,, ,, 1894-95, . .	16,059

8. Number of Roman Catholic Students in all the Universities and Faculties:—

In the winter term, 1890-91, . .	11,453
,, ,, 1894-95, . .	11,915

9. Number of the Students of the Nine Roman Catholic Theological Faculties:—

In the winter term, 1890-91, . ..	1,626
,, ,, 1894-95, . .	1,529

10. Number of the Students at Roman Catholic Theological Educational Establishments:—

In the winter term, 1890-91, . .	1,880
,, ,, 1894-95, . .	1,739

11. TOTAL Number of Inhabitants.

	—	—	Total Number of Catholics.
Census, 1890, ...		23,895,413	18,934,166
,, 1894, ...		24,736,700	19,505,993

12. Proportion of Students in all Universities and Faculties to total Number of Inhabitants:—

1890, ...	0·067
1894, ...	0·065

13. Proportion of Roman Catholic Students to Roman Catholic Population:—

1890, ...	0·060
1894, ...	0·061

14. Percentage of Roman Catholic Theologicians among Roman Catholic Population:—

1890, ...	0·019
1894, ...	0·017

Inclosure 3 in No. 2.

Count Welsersheimb to Sir H. Rumbold.

(Translation.) *Vienna, April 23, 1897.*

In the present answer to the question put in the note of the 2nd March respecting the University education of Roman Catholics in Austria-Hungary, the Ministry for Foreign Affairs, in conjunction with the Hungarian Ministry of Education, has the honour to inform his Excellency Sir Horace Rumbold that no University with a religious character exists in Hungary.

Of the two existing Universities (that in Croatia not being included) one, viz., that in Klausenburg, is entirely supported at the cost of the State. The expenses of the other University, viz., that of Budapest, are borne partly by State and partly by University funds.

At the University of Budapest there is a special Faculty for Roman Catholic and Greek Orthodox theological sciences, and three additional Faculties, viz., that of Jurisprudence and Political Philosophy, that of Medicine, and that of Philology.

At the University of Klausenburg there are Faculties for:—

1. Jurisprudence and Political Philosophy;
2. For Medicine;
3. For Philosophy, Philology, and History; and
4. Mathematics and Natural Philosophy.

The proportions between the Roman Catholic population of Hungary and the Roman Catholic University students are as follows:—

Hungary has 7,239,212 Roman Catholic inhabitants, *i.e.*, 47·84 per cent. of the population; in the University of Budapest there are 1,591; in that of Klausenburg, 240; in all 1,831 Roman Catholic students, that is to say, ·02 per cent. of the Roman Catholic population, while the Roman Catholics form a proportion of 39·5 per cent. of the total number of students at both Universities.

(The data respecting the population are reckoned according to the Census of the year 1890; those respecting the numbers of University students are reckoned according to the University year of 1894-95.)

As regards the relations between the Universities and the Episcopate, the professors of the Theological Faculty of the Budapest University of Science are nominated by the Ministry of Worship and Public Instruction, subject to the approval of the Hungarian Primate, who also confers the *Venia Legendi*.

Information respecting the Austrian Universities will be sent as soon as possible.

The Undersigned, &c.,

(Signed) WELSERSHEIMB.

BAVARIA.

No. 3.

Mr. Drummond to the Marquess of Salisbury.—(Received March 22.)

Munich, March 10, 1897.

MY LORD,

In accordance with the request made by your Lordship in your Circular despatch of the 16th ultimo, I have the honour to inclose herewith a Report which I have drawn up on the provision made for the University Education of Roman Catholics in Bavaria, the constitution of the Universities, the amount of endowments, and the number of persons receiving University Education in proportion to the Catholic population, as also the relation of the Universities in the Episcopate.

I have, &c.,

(Signed), VICTOR DRUMMOND.

Inclosure in No. 3.

Report on Provision made for the University Education of Roman Catholics in Bavaria, the Constitution of the Universities, amount of Endowments, sources of, number of Persons receiving University Education in proportion to Roman Catholic Population, and Relation of the Universities to the Episcopate.

Bavaria, the second kingdom in size, population, and rank in the German Empire, is a Roman Catholic State, divided into two Archbishoprics and six Bishoprics. The State allows perfect toleration of religion, guaranteeing the same civil rights to Catholics and Protestants alike.

There are three Universities in Bavaria:—

Würzburg, founded by Bishop Echteler in 1402;

Munich, founded by Duke Louis the Rich in 1472 at Ingolstadt, transferred in 1800 to Landshut, and finally to the Bavarian capital by King Louis I. in 1826; and

Erlangen, founded by the Markgrave of Ansbach-Bayreuth in 1742.

Originally private institutions under clerical influence, the German, including the Bavarian Universities, gradually became secularized, and are now completely subject to the authority of the State. They are institutions established and supported by the State, and brought directly under the supreme control of the Ministry of Public Instruction; nevertheless, a large measure of independence and self-government is accorded to the internal regulations.

The Rector or President is annually elected by the Professors from among their own number; he represents the University externally: the University officials are under his charge; he controls the immatriculations, and regulates the discipline.

The Senate, of which the Rector is the Chairman, is elected by the Professors from among their own body, forming the Committee for the general management and administration of the institution.

The Professors (ordinary) are nominated by the Sovereign, and are irremovable; the extraordinary Professors are selected by the Minister of Public Instruction, their names being submitted by the special Faculty for which they are required.

As the Universities are opened to students of all creeds, the Church exercises no control whatever. On the appointment of Professors of Theology, the Minister naturally ascertains the wishes of the clerical authorities, and nominates the candidates accordingly.

The Universities of Munich and of Würzburg have endowments for Roman Catholic, that of Erlangen for Protestant, Theology.

The expenses for the maintenance of the Munich University amount yearly to 45,690*l.*, of which sum about 13,070*l.* are derived from ancient endowments, whereas the rest, 32,600*l.*, is the annual Parliamentary Grant.

The Würzburg University costs yearly 36,246*l.*, of which 15,707*l.* are the result of ancient endowments, the rest, 20,539*l.*, from the annual Parliamentary Vote.

The Erlangen University costs yearly 31,723*l.*, of which 6,813*l.* are derived from endowments, and the deficiency is made up by the annual Vote of Parliament, 24,910*l.* These Parliamentary Votes naturally vary annually according to wants.

The number of students in the three Bavarian Universities in the year 1896 was:—

Munich,	3,777
Würzburg,	1,539
Erlangen,	1,138
That is	6,254

Of which 3,248 were non-Bavarian.

The population of Bavaria (Census of the 2nd December, 1895) was 5,818,544, of which 3·9 millions Roman Catholics and 1·5 millions Protestants. As no statistics of creed exists, it is not possible to ascertain the proportion to the Catholic population of students receiving University Education; there is no limit whatever in respect to creed, but the number of persons receiving University Education in proportion to the Catholic population—"Bavarian" students 0·77, and total number of students 1·60 per 1,000.

[*Note.*—The above data are partly from the work "Die Deutschen Universitäten," by W. Lexis, Professor of National Economy in Göttingen, in two volumes, A. Ascher and Co., Berlin, 1893, and partly from the "Tulzbacher Calender" for 1897.]

"The German Universities for the last Fifty Years," by Dr. J. Conrad, Glasgow, 1885, may here be referred to.

(Signed), VICTOR DRUMMOND,
Her Majesty's Minister Resident.

Munich, March 10, 1897.

BELGIUM.

No. 4.

Sir F. Plunkett to the Marquess of Salisbury.—(Received March 22.)

Brussels, March 21, 1897.

MY LORD,

With reference to your Lordship's Circular despatch of the 16th ultimo, I have the honour to inclose a Report which has been drawn up by Mr. Adam on the provision made for the University Education of Roman Catholics in Belgium.

I have, &c.,

(Signed), F. R. PLUNKETT.

Inclosure 1 in No. 4.

Report on the Provision made for the University Education of Roman Catholics in Belgium.

A brief sketch of the changes through which University Education has passed, within the limits of the present Kingdom of Belgium, since the closing years of the eighteenth century, will materially assist in making the existing provisions for the University Education of Roman Catholics in Belgium perfectly clear.

Previously to the 25th October, 1797, the famous University of Louvain (a purely Catholic institution) had for over three centuries and a-half, been the centre

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of all higher studies in the Belgic provinces. At that date, however (4 Brumaire, An VI.), the authorities of the Department of "La Dyle," in compliance with the provisions of the French Law of the 25th October, 1795 (4 Brumaire, An IV.), for the reorganization of public instruction, suppressed the venerable seat of learning, and introduced the centralized system of public education in force throughout Republican France.

At the fall of the Empire, in 1814, faculties of Jurisprudence, Science, and "Litteræ Humaniores" existed at Brussels, while Medical, Surgical, and Pharmaceutical schools had been established in connection with the hospitals of Brussels, Antwerp, and Ghent.

After the incorporation of Belgium in the Kingdom of the Netherlands, Brussels, Louvain, and Ghent each advanced claims to become the educational centre of the southern provinces; but the Dutch Government eventually, by the Decree of the 26th September, 1816, instituted three State Universities at Louvain, Ghent, and Liège, each of which was to include the five Faculties or Schools of Roman Catholic Theology, Philosophy and Letters, Physical and Mathematical Sciences, Jurisprudence, and Medicine.

Pending the organization of the Theology schools, the higher education of the Roman Catholic clergy was to be effected at the various Episcopal seminaries and subsidized by the Government.

On the 14th June, 1825, a Royal Decree was published, which, after referring to Regulations formerly in force forbidding the admission of students into Roman Catholic theological seminaries until they had satisfactorily passed through a course of "Humanities" and Philosophy, proceeded to create a "Philosophical College" at Louvain to enable candidates for orders to pursue the studies in question.

This was followed, on the 11th July, by a second Decree forbidding the admission of any students into Roman Catholic Episcopal seminaries unless they had previously passed through the "Philosophical College."

A further Decree rendered any young Belgians educated at foreign Universities incapable of holding any civil or ecclesiastical office in the gift of the Government.

The above measures, implying as they did an endeavour on the part of the Government to direct the studies of the future political and religious leaders of the country, created universal discontent, and were met by organized agitation, petitions in favour of complete freedom of studies being largely circulated and readily signed by men of all parties.

The Netherland Government at last took alarm, and on the 26th November, 1829, they presented to the States-General a Bill recognizing the principle of freedom of instruction in all grades. This was withdrawn in May, 1830, to be replaced by a Decree granting a still greater measure of independence.

These concessions, however, came too late, and the Belgian revolution broke out, proclaiming among its principles the complete independence of all religious creeds from State interference and the entire freedom of instruction, subject only to the provisions of the Law (see Inclosure 2, Articles 14 to 17, of the Belgian Constitution).

Between 1831 and 1834 the three existing Universities were allowed to continue to work provisionally, but with their Faculties reduced in number.

Thus Ghent confined itself to Jurisprudence and Medicine; Louvain to Medicine and Philosophy; and Liège to Jurisprudence, Science, and Medicine.

Various schemes for the reorganization of University Education were put forward, and Commissions appointed to consider them.

At length a Bill was submitted to the Legislature on the 31st July, 1834, for the creation of two State Universities, with their respective seats at Ghent and at Liège, so as to satisfy the claims of both Flemings and Walloons.

Before this measure, however, could be passed, the Belgian Roman Catholic Episcopate had, by their Decree of the 10th June, 1834, founded at Malines a Free "Catholic" University, which was opened on the 4th November of that year, and transferred to Louvain on the 15th October, 1835.

A Liberal Association had likewise established a Free University at Brussels on the 20th November, 1834, on undenominational and even anti-clerical principles.

The Bill creating the two State Universities became law in 1835, and was submitted to revision in 1849.

Titles II. and III. of the latter Law, dealing with the subjects of "Encouragements to Study," and "University Decrees and Examinations," after undergoing partial revisions in 1857 and 1876, have now been permanently embodied in the Law of the 10th April, 1890, completed by that of the 3rd July, 1891, and published in a Royal Decree of the 31st July, 1891.*

Chapter I. of Title I. (Articles 1 to 4) of the above enactment enumerates the several University degrees.

Chapter II. (Articles 5 to 12) lays down the preliminary examinations or certificates required from candidates applying for admission to a University.

Chapter III. (Articles 13 to 30) states the various subjects of examination for the several degrees, as well as the minimum periods of preparatory studies which candidates must go through before presenting themselves for examination.

Chapter IV. (Articles 31 to 46) deals with the constitution of the Examining Boards ("Jurys d'Examen"), the certificates ("diplômes") of degrees, and their authentication ("entérinement"), by a Special Commission† which sits at Brussels, and without whose approval no Degree has any legal validity.

Article 32 points out that, for the purposes of the present Law, a University means "any institution of higher education comprising at least the four Schools or Faculties of—

"1. Philosophy and 'Litteræ humaniores;'
"2. Jurisprudence;
"3. Physical, Mathematical, and Natural Sciences; and
"4. Medicine, Surgery, and Obstetrics;

"And whose programme of studies includes all the subjects prescribed for examination in each School, except those expressly stated to be voluntary by Articles 13 and 14 (viz., the Philology of the Romance and Germanic Languages respectively)."

In order to grant the degrees of "Candidate in Engineering," "Mining Engineer," or "Engineer in Civil Buildings," any University must include in its programme of studies all the subjects for examination required by the law for those degrees.

Article 33 provides that each University can only grant degrees to its own students; but Article 31 had previously stated that the diplomas of the several degrees might be granted either—

By a State University;
By a Free University;
Or by Examining Boards appointed by Government.

These Examining Boards‡ consist of representatives of State and private education in equal proportions, and their Chairmen are selected outside the teaching profession. They include a central Board or jury for candidates for all Academic degrees, and special Boards appointed to examine the students of particular schools or institutions.

A fee of 20 fr. (16*s.*) is charged for the authentication of every degree certificate (Article 43).

Chapter V. (Articles 47 to 52) states the legal force of duly authenticated degrees, with respect to the practice of various professions.

By Article 52 women are authorized to hold University degrees and to practise as doctors of medicine and pharmaceutical chemists.

Title II. (Articles 53 to 55) of the Law deals with the prizes granted to the State for the encouragement of higher studies.

These consist of (*a*) gold medals, worth 100 fr. (4*l.*), coupled with prizes of 400 fr. (16*l.*) in money or in books, which are granted annually by the Government to the authors of the best essays on subjects offered for competition.

Competitors must be Belgians, either registered as students in a University, or who have not exceeded two years from the date of their degree as Doctor (of Philosophy, Law, or Medicine), pharmaceutical chemist, assistant notary ("candidat notaire") or engineer (Article 53).

(*b.*) Of 120 Scholarships of 400 fr. (16*l.*) each, which may be granted every year to young Belgians without fortune, intending to pursue higher studies, who have shown due capacity in a competitive examination regulated by the State. The holders of Scholarships are not compelled to study in any one particular institution (Article 54).

(*c.*) Of fourteen Travelling Scholarships of 4,000 fr. (160*l.*) each, spread over two years, which may be conferred every year on Belgians who have not exceeded two years from the date of their degree to enable them to visit either foreign Universities or industrial factories or engineering works abroad.

* In Library of House of Commons. † Article 35. ‡ Article 34.

Title III. (Articles 56 to 64) contains temporary provisions to avoid any injustice to persons studying at the time of the passing of the Law.

The Rectors and Inspectors of the State Universities, and their Professors (ordinary and extraordinary) are appointed by the King; the former take the oath of office in the hands of the Minister of the Interior and Public Instruction, while the Professors are sworn by the Rector.

The regular salary of ordinary Professors is 7,000 fr. (230*l.*), which the Government may raise by sums varying from 1,000 fr. to 3,000 fr. (40*l.* to 120*l.*) when necessary (a maximum of 400*l.* a-year).

Extraordinary Professors receive a salary of 5,000 fr. (200*l.*) a-year.

Assistants may be appointed in the Faculties of Science and Medicine, according to the requirements of the experimental teaching. Their remuneration varies from 500 fr. (20*l.*) to 2,000 fr. (80*l.*) a-year, which, after four years, may be increased to 3,000 fr. (120*l.*).

The University authorities are:—

The Rector, the Secretary, the Deans of Faculties, the Academical Council, and the College of Assessors.

The Academical Council consists of the Professors, under the presidency of the Rector.

The College of Assessors includes:—

The Rector, the Secretary, and the Deans of Faculties.

The Rector is appointed for three years.

The Deans of Faculties are elected annually by the Professors of their respective Faculty.

Every student in a State University must pay an annual registration fee of 15 fr. (12*s.*). One-third of these fees belongs to the Rector, another to the Secretary of the University, and the remainder is divided equally among the University Beadles.

In addition to this, he has to pay each year a general fee for the courses of lectures which he attends.

This amounts to 250 fr. (10*l.*) a-year for the lectures for the "candidate's" degree in the Schools of Philosophy and Letters, and of Jurisprudence; and to 200 fr. for each set of lectures leading to an examination in the other Faculties. There are also graduated fees for single courses of lectures.

The appropriations for the maintenance of the two State Universities in the Ordinary Budget of 1896 amounted to:—

1,432,901 fr. (57,316*l.*) on account of salaries and wages, and 359,940 fr. (14,398*l.*) on account of material expenses.

Besides the regular expenditure, there are also extraordinary credits, varying from year to year, in favour of the State Universities, for additional buildings and furniture, as well as for scientific instruments.

Copies of the programme of studies at each of the two State Universities of Ghent and Liège for the Academic year 1896-97, including lists of the Professors belonging to the several Faculties, and of the other University officials, are inclosed herewith.*

But although the preceding information may serve as a reply to the inquiry respecting the constitution of Belgian Universities, it shows plainly that neither the State Universities of Ghent and Liège, nor the Free University of Brussels (which at the present moment includes more than one non-Catholic among its Professors) have any denominational or sectarian character. In reply to my inquiry as to the relations between the State Universities and the Roman Catholic Episcopate, the Director-General of Higher Education writes that no such relations exist ("il n'existe aucun rapport entre les Universités de l'Etat et l'Episcopat Catholique").

The Free Catholic University of Louvain, however, rests on an entirely different basis.

It was avowedly founded by the Roman Catholic Episcopate of Belgium, as a University where the arts and sciences should be taught "by Professors who hold the orthodox faith, and think rightly of the Roman Catholic religion" ("a Professoribus orthodoxæ fidei cultoribus et de Romano-Catholicâ religione rectè sentientibus").

Its head, the Rector Magnificus, and its Vice-Rector, are both ecclesiastics appointed, and liable to dismissal, by the Episcopal body, which likewise nominates the Professors and Readers, upon the recommendation of the Rector Magnificus. (See Decree of the Belgian Episcopate instituting the Catholic University, and the Statutes appended thereto, Articles 3, 4, and 11.)*

Article 13 of the General Regulations of the University (see Year Book of the Catholic University for 1897, p. 499)* expressly declares that all its students must profess the Catholic religion, and perform its duties, while Article 14 requires them, *inter alia*, to attend courses of religious lectures.

The students in the Faculty of Theology are admitted on the recommendation of their Bishops, and a special College—"Collège du Saint-Esprit"—is reserved for them, where they can be boarded for payment of 650 fr. (26*l.*) if Belgians, and 700 fr. (28*l.*) if foreigners.

There are, besides, two other Colleges, that of Pope Adrian VI. (Adrian of Utrecht, at one time Dean of Louvain University), for students in the Faculties of Philosophy and Law, and that of Justus-Lepsius, for students in the Faculties of Science and Medicine.

There is also an American seminary at Louvain, founded in 1857 by several Prelates of the United States, under the protection of the Cardinal Archbishop of Malines, and the Bishops of Belgium, to provide pious and learned ecclesiastics for the numerous dioceses of North America.

Besides the Faculty of Theology, and those of Philosophy and Litteræ Humaniores, Sciences, Jurisprudence, and Medicine, the Catholic University includes special Schools of Arts and Manufactures, Civil Engineering, and Mining Engineering, in accordance with the Government programme of studies, and higher schools of Agriculture and of Brewing.

The University fees consist of an annual registration fee of 20 fr. (16*s.*).

Students have further to pay examination fees as follows:—

	Fr.	£	*s.*	*d.*
For each examination in the Philosophical or Scientific Schools .	50	= 2	0	0
For the degree of candidate in Law,	100	4	0	0
For the degree of Doctor of Law, .	200	8	0	0
For every other special examination,	100	4	0	0
For the candidate's degree in Medicine, ...	80	3	4	0
For the degree of Doctor of Medicine,	180	7	4	0
For the degree of Doctor in Surgery and Obstetrics, ...	100	4	0	0
For any other special doctor's degree,	100	4	0	0

In the Theological School the examination fees are:—

	Fr.	£	*s.*	*d.*
For the Bachelor's degree, . .	150	= 6	0	0
For the Licentiate's degree, . .	250	10	0	0
For the Doctor's degree, . . .	400	16	0	0

In the Special Schools, the examination fees are:—

	Fr.	£	*s.*	*d.*
Entrance examination, . . .	35	= 1	8	0
Each intermediate examination, .	60	2	8	0
Final examination, ...	70	2	16	0

The sources of revenue of the Catholic University are, besides the students' fees:—

1. The income from a fund collected, at the time when the University was founded, by the Belgian Episcopate. (The amount of this is not published.)

2. Bequests and donations made to the Bishops and clergy for the benefit of the University. Neither of the Free Universities being possessed of "civil personality," they can neither of them hold property. See Mgr. Abbeloos' Discourse of the 20th October, 1896, in the Appendix to the Year Book of the Catholic University for 1897, pp. 18 to 20.)*

3. The amounts of the half-yearly collections which take place in all Roman Catholic churches in Belgium on behalf of the Catholic University.

The revenues of the Catholic University are entirely controlled by the Belgian Episcopate, and no accounts are published either of income or expenditure.

As the Belgian Census Returns and statistics of population do not contain any information respecting religious beliefs, I have found it impossible to discover the number of persons receiving University Education in proportion to the Catholic population. It may, however, not be without interest to furnish the numbers of students entered at the different Belgian Universities and the proportion of the total to the population of the kingdom.

The following Table, taken from the Statistical Year Book of Belgium for 1895 (published last spring) shows the respective numbers of students registered at different periods in each Faculty of the four Belgian Universities.

* In Library of House of Commons.

BELGIUM UNIVERSITIES.

I.—STATE UNIVERSITIES.

UNIVERSITIES.	Number of Students Registered. Academic Years.													
	1839-40.	1849-50.	1859-60.	1869-70.	1879-80.	1880-81.	1884-85.	1885-86.	1889-90.	1890-91.	1891-92.	1892-93.	1893-94.	1894-95.
University of Ghent—														
Faculties, Philosophy and Letters,	73	68	28	28	40	37	66	56	63	75	78	73	68	66
Faculties, Sciences,	122	69	84	28	64	90	152	164	216	165	122	100	105	102
Faculties, Jurisprudence,	47	95	67	70	163	170	205	177	225	186	143	120	100	100
Faculties, Medicine,	78	81	85	75	98	97	152	177	177	187	205	181	180	156
Total,	320	313	264	201	365	394	575	574	681	613	548	474	453	424
Special Schools, Civil Engineering,	76	38	63	183	200	224	229	194	130	130	133	133	132	145
Special Schools, Arts and Manufactures,	..	..	..	75	49	38	43	39	46	45	58	65	75	71
Total,	76	38	63	258	249	262	272	233	176	175	191	198	207	216
General Total,	396	351	327	459	614	656	847	807	857	788	739	672	660	640
University of Liege—														
Faculties, Philosophy and Letters,	38	113	99	69	172	172	232	249	286	223	181	167	163	144
Faculties, Sciences,	45	82	72	103	266	256	336	402	350	338	246	211	260	375
Faculties, Jurisprudence,	64	146	157	135	218	263	344	333	395	305	306	291	342	231
Faculties, Medicine,	81	91	131	112	171	194	245	228	265	282	280	290	277	247
Faculties, Free Students,	..	..	..	..	..	..	..	..	..	..	..	..	27	29
Total,	228	432	459	419	827	885	1,157	1,212	1,296	1,148	1,013	959	1,069	1,026
Technical Faculty (Special Schools), Preparatory School,	33	37	147	83	108	123	155	121	91	91	110	112	..	..
Technical Faculty (Special Schools), Mines,	38	12	70	39	85	76	84	96	55	59	62	58	48	74
Technical Faculty (Special Schools), Arts and Manufactures,	1	9	83	83	55	56	38	41	33	32	35	57	37	41
Technical Faculty (Special Schools), Mechanicians,	..	5	29	20	18	14	16	22	5	14	9	5	12	18
Technical Faculty (Special Schools), Electricians,	..	..	..	..	..	..	..	10	23	36	34	58	77	84
Technical Faculty (Special Schools), Free Students,	31	10	23	9	7	7	10	34	8	3	28	10	17	5
Total,	103	73	352	234	273	276	303	324	215	235	278	300	191	222
General Total,	331	505	811	653	1,100	1,161	1,460	1,536	1,511	1,383	1,291	1,259	1,260	1,248

II.—FREE UNIVERSITIES.

University of Brussels—														
Faculties, Philosophy and Letters, ..	43	87	41	68	176	184	210	198	177	147	127	127	152	150
Faculties, Sciences, ...	37	56	65	88	265	298	431	465	590	477	365	285	230	257
Faculties, Jurisprudence, ...	148	146	145	192	305	336	436	434	448	396	311	270	255	243
Faculties, Medicine, ...	51	52	154	148	290	317	505	499	577	577	587	563	544	522
Total, ...	279	341	405	496	1,036	1,135	1,582	1,596	1,792	1,597	1,390	1,245	1,181	1,172
Special School, Polytechnic School, ..	..	..	..	..	123	104	131	129	152	115	109	117	128	139
General Total, ..	279	341	405	496	1,159	1,239	1,713	1,725	1,944	1,712	1,499	1,362	1,309	1,311
Catholic University of Louvain—														
Faculties, Philosophy and Letters, ..	195	202	107	92	209	212	216	216	223	210	215	202	224	229
Faculties, Sciences, ...	89	90	158	131	351	331	342	360	376	317	244	191	193	203
Faculties, Jurisprudence, ...	100	161	239	208	320	377	376	384	422	391	326	343	388	308
Faculties, Medicine, ...	62	95	205	227	307	340	435	450	428	445	473	441	445	413
Total, ...	446	548	709	658	1,187	1,260	1,369	1,410	1,449	1,363	1,258	1,177	1,200	1,153
Special Schools, ...	..	..	..	125	204	194	218	232	392	397	401	427	411	433
Joint Total, ..	446	548	709	783	1,391	1,454	1,587	1,642	1,841	1,760	1,659	1,604	1,611	1,586
Theological Faculty, ...	44	64	84	124	60	58	51	58	35	40	38	40	46	50
General Total, ..	490	612	793	907	1,451	1,512	1,638	1,700	1,876	1,800	1,697	1,644	1,657	1,636

GENERAL TOTAL.

The four Universities taken together—														
Faculties, Philosophy and Letters, ..	349	470	275	257	597	605	724	719	749	655	601	569	607	589
Faculties, Sciences, ...	293	297	379	350	946	975	1,261	1,391	1,532	1,297	977	787	788	937
Faculties, Jurisprudence, ...	359	548	608	605	1,006	1,146	1,361	1,328	1,490	1,278	1,086	1,024	1,035	882
Faculties, Medicine, ...	272	319	575	562	866	948	1,337	1,354	1,447	1,471	1,545	1,475	1,446	1,338
Faculties, Theology, ...	44	64	84	124	60	58	51	58	35	40	38	40	46	50
Faculties, Free Students, ...	..	..	..	..	..	..	..	..	..	..	..	..	27	29
Total, ...	1,317	1,698	1,921	1,898	3,475	3,732	4,734	4,850	5,253	4,741	4,247	3,895	3,949	3,825
Technical Faculties and Special Schools, ..	179	110	415	617	849	836	890	918	935	922	979	1,042	937	1,010
Total, ...	1,496	1,808	2,336	2,515	4,324	4,568	5,624	5,768	6,188	5,663	5,226	4,937	4,886	4,835
Number of students per 100,000 inhabitants, ..	37	48	50	50	78	82	97	99	102	93	85	80	77	76

From this it would appear that in 1894-95 the numbers of students were:—

At Ghent,	640
At Liège,	1,248
Total for State Universities,	1,888
At Brussels,	1,311
At Louvain,	1,636
Total for Free Universities,	2,947

Making a grand total of 4,835 students, or 76 for every 100,000 inhabitants.

As the number of students at the Catholic University of Louvain amounts to rather more than one-third of the total, they may be considered to represent over 25½ per 100,000 of the population.

(Signed), C. F. FREDERICK ADAM.

Brussels, March 20, 1897.

Inclosure 2 in No. 4.

Extract from the Belgian Constitution, Articles 14 *to* 17.

Article 14. La liberté des cultes, celle de leur exercice public, ainsi que la liberté de manifester ses opinions en toute matière sont garanties, sauf la répression des délits commis à l'occasion de l'usage de ces libertés.

Art. 15. Nul ne peut être contraint de concourir d'une manière quelconque aux actes et aux cérémonies d'un culte, ni d'en observer les jours de repos.

Art. 16. L'État n'a le droit d'intervenir ni dans la nomination ni dans l'installation des Ministres d'un culte quelconque, ni de défendre à ceux-ci de correspondre avec leurs supérieurs, et de publier leurs actes, sauf, en ce dernier cas, la responsabilité ordinaire en matière de presse et de publication.

* * * * *

Art. 17. L'enseignement est libre; toute mesure préventive est interdite; la répression des délits n'est réglée que par la loi.

L'instruction publique donnée aux frais de l'État est également réglée par la loi.

(Translation.)

Article 14. Freedom of worship and of its public practice is guaranteed, as is also free expression of opinion on any matter, subject to the repression of offences committed during the exercise of these liberties.

Art. 15. Nobody can be compelled to take part in any way in the acts or ceremonies of any form of religion, nor to observe its days of rest.

Art. 16. The State has no right to interfere in the nomination nor installation of the Ministers of any religion, neither can it forbid the latter to correspond with their superiors or to publish their records, subject in the latter case to the ordinary responsibility in the matter of press and publication.

Art. 17. Teaching is free; all preventive measures are prohibited; the repression of offences is regulated solely by the law.

The public education given at the cost of the State is also regulated by the law.

BRAZIL.

No. 5.

Mr. Raikes to the Marquess of Salisbury.—(Received November 1.)

Petropolis, October 7, 1897.

MY LORD,

With reference to your Lordship's Circular despatch of the 16th February last, I have the honour to report that there is no Roman Catholic University in Brazil in the English sense of the word.

There are large Catholic schools in several of the States under the control of various religious orders—Jesuits, Lazarists, &c.—but the inmates are only educated there prior to proceeding to a University. There are also seminaries in nearly all the Episcopal towns where Theology is taught, and schools attached to them where other students besides those destined for the priesthood are admitted.

These are under the control of the Bishop. The cost is defrayed partly by former legacies, partly by the Bishop, and, to a great extent, by the scholars themselves.

The Papal Chargé d'Affaires informs me that there is a project to establish a Roman Catholic University in Bahia, and that that State would be ready to assist in providing it with some revenue, probably by conceding some part of the State lotteries, but it is doubtful if the project will ever be realized.

At present the young Brazilians either go to the Brazilian Universities, where no religion is taught, or proceed to Roman Catholic Universities in Belgium, or to the College Pio Latino Americano at Rome.

I have, &c.,

(Signed), ARTHUR S. RAIKES.

UNITED STATES OF COLOMBIA.

No. 6.

Mr. M. Villiers to the Marquess of Salisbury.—(Received March 10.)

Bogotá, January 27, 1898.

MY LORD,

In reply to your Lordship's Circular despatch of the 16th February last, calling for a Report on certain questions connected with Universities, for the information of the House of Commons, I have the honour to state that there is no longer a Colombian University in Bogotá. There exist merely Faculties ("Facultades") for the granting of degrees in various branches, such as Medicine, Law, Engineering, &c., each one of which is independent of the other.

This system of Faculties, the Minister for Foreign Affairs explained to me, is considered preferable in Colombia to the maintenance of Universities.

I have, &c.,

(Signed), M. VILLIERS.

DENMARK.

No. 7.

Sir C. Scott to the Marquess of Salisbury.—(Received May 3.)

Copenhagen, April 29, 1897.

MY LORD,

In accordance with the instructions contained in your Lordship's despatch of the 16th February last, I addressed a note to the Danish Minister for Foreign Affairs, requesting his Excellency to be good enough to furnish me with details respecting the provision made for the University education of Roman Catholics in this country.

I have now received a reply from Baron Reedtz Thott stating that no special institutions or regulations exist in Denmark relative to Roman Catholics, and that they are admitted like other persons and under the same conditions both to University teaching, to the examinations, and to Academic degrees.

His Excellency adds, however, that an exception is made in regard to examinations in Theology.

I have, &c.,

(Signed), CHARLES S. SCOTT.

FRANCE.

No. 8.

Sir E. Monson to the Marquess of Salisbury.—(Received April 7.)

Paris, April 6, 1897.

MY LORD,

With reference to your Lordship's Circular despatch of the 16th February, I have the honour to inclose herewith a Memorandum by Mr. Clarke-Thornhill, on University Education in France for Roman Catholics. I have been unable to obtain much information on the subject, the fact being that French Universities have been entirely laicized, and that no special provision is made for Roman Catholic students, or for those of any other religious denomination.

I have, &c.,

(In the absence of the Ambassador),

(Signed), MARTIN GOSSELIN.

Inclosure in No. 8.

Memorandum respecting University Education for Roman Catholics in France.

Until 1896 there was but one University in France, that of Paris. In that year establishments which have the power of conferring degrees were founded in Lyons, Bordeaux, Lille, and Angers, Lille being the only one in which all the Faculties are represented, but at present it is too early to be able to ascertain what progress has been made. There is no variety of sources for the endowments of Universities, for up till now they have been endowed solely by the State.

The Law of last year recognized them as civil corporations, and enabled them to receive gifts and bequests, but they have as yet had little or no opportunity to exercise the right they have obtained. All Universities are entirely unsectarian, and the students are not asked at matriculation to what religious body they claim to belong. No statistics, therefore, are kept which would show the proportion of University students to the Catholic population, more especially as in the general Census no mention is made of religious denomination, and the proportion of Catholics to the general population of France cannot be accurately ascertained.

Roman Catholic students are free to improve their religious knowledge in any manner they please, and so are the members of all other sects.

No relations exist between the Universities proper and the Episcopate, but a few "Instituts Catholiques" under clerical patronage and supervision were founded about 1872 and 1873, of which two or three are still in existence. They cannot, however, confer degrees, but only teach, and should not be considered as Universities. Those at Angers, Lille, and Paris have, perhaps, some 300 students, who are, of course, devout Catholics.

GREECE.

No. 9.

Sir E. Egerton to the Marquess of Salisbury.—(Received October 6.)

Athens, September 29, 1897.

MY LORD,

In reply to your Lordship's Circular despatch dated the 16th February, I have the honour to report that no special provision is made in Greece for the University Education of Roman Catholics.

The University of Athens, the only one in Greece, opens its doors to all students without distinction of creed. The University possesses at present an income of 217,581 drachmæ (at the current rate of exchange some 5,000*l.*), drawn from real estate and money invested, the result of private benefactions in the past. Its Professors, fifty-four in number, are paid by the State.

The Roman Catholic population of the kingdom is estimated by the Catholic clergy at 30,000 out of a total population before the war of 2,430,000. (Unfortunately, the definite statistics collected in the last census perished in a recent fire at Athens.) Of this number, it would appear that only about a dozen attend the University out of a total number of 3,481 students. Persons studying for the priesthood receive their education in Italy.

I am assured that the relations between the University and the Latin Archbishop of Athens are excellent. Certain courses of lectures may be objected to by the Roman Catholic clergy as expounding theories—Darwinism for example—contrary to the teaching of the Church.

In this case, Roman Catholic students are recommended by their priests to abstain from attending them. As, however, there are alternative courses, no friction seems to be caused.

I have, &c.,

(Signed), EDWIN H. EGERTON.

ITALY.

No. 10.

Sir Clare Ford to the Marquess of Salisbury.—(Received March 29.)

Rome, March 23, 1897.

MY LORD,

I have the honour to acknowledge the receipt of your Lordship's Circular despatch of the 16th ultimo, asking for information with regard to the provision made in Italy for the University Education of the Catholic portion of the population.

By the Act of Union of Italy the Roman Catholic religion is the State religion, and according to the Census Returns of 1881, it would appear that the non-Catholic population, including Jews, did not exceed 100,000 in a total population of over 30,000,000. The question, therefore, of providing special Universities for the education of Roman Catholics has not arisen in this country.

The Universities are State institutions under the direction of the Ministry of Public Education. They are seventeen in number, but of these a few are incomplete as to their teaching staff, and four are called Free Universities because they are supported by the provinces and communes interested, or by private endowments, whereas the others are dependent on the State for their maintenance.

Theology does not form one of the subjects taught in the Universities. The four Faculties in which a degree can be taken are Philosophy, Law, Medicine, and Mathematics.

I may add that in Italy there are a great number of seminaries for the education of priests; these are under the supervision of the Roman Catholic Bishops, and in them other subjects besides Theology are taught.

I have, &c.,

(Signed), FRANCIS CLARE FORD.

MEXICO.

No. 11.

Mr. Stronge to the Marquess of Salisbury.—(Received October 23.)

Mexico, October 5, 1897.

MY LORD,

I have the honour to acknowledge the receipt of your Lordship's Circular despatch of the 16th February last, instructing me to report on the provision made for the education of Roman Catholics in Mexico, and to state in reply that there are no institutions in Mexico which can be said to correspond to European Universities. Moreover, in the schools maintained by the Government, whether primary or for instruction in technical subjects, such as Law, Engineering, or the fine arts, no account is taken of the religious persuasion of the pupils.

I have, &c.,

(Signed), FRANCIS STRONGE.

NETHERLANDS.

No. 12.

Mr. Howard to the Marquess of Salisbury.—(Received March 29.)

The Hague, March 26, 1897.

MY LORD,

In reply to your Lordship's Circular despatch of the 16th ultimo, I have the honour to report, for the information of the House of Commons, that there is no Roman Catholic University in the Netherlands.

The four Dutch Universities are those of Leyden, Utrecht, Groningen, and Amsterdam. The three first are maintained by the State, and the last, which is known as "the Free University of Amsterdam," is at the sole charge of the municipality of that city.

They are open to students of all creeds and persuasions, and, as far as I can ascertain, no objection is made by the Roman Catholic clergy to persons of this faith attending the same.

I have, &c.,

(Signed), HENRY HOWARD.

PORTUGAL.

No. 13.

Sir H. MacDonell to the Marquess of Salisbury.—(Received March 22.)

Lisbon, March 19, 1897.

MY LORD,

With reference to your Lordship's Circular despatch of the 16th ultimo, instructing me to forward, for the information of the House of Commons, a Report on the provision made in Portugal for the University Education of Catholics, I have the honour to inclose a short statement on the subject in question.

I have, &c.,

(Signed), H. G. MACDONELL.

Inclosure in No. 13.

Memorandum on the Provision made for the University Education of Roman Catholics in Portugal.

No such provision has ever been made in Portugal, for the simple reason that the whole population almost exclusively belongs to the Catholic religion.

Any Portuguese subject, irrespective of his religious profession, is freely admitted, without any hindrance, to pursue his University education like all his fellow-citizens.

In the Budget of the State provision is made for superior instruction, but this includes, in addition to the University of Coimbra—the only one in Portugal—other scientific establishments, the sum applied to the purpose being about 320,000 milreis (71,111*l.*) per annum.

Mortmain corporations are now, and have, for several years past, been disqualified by law from holding real property, so that the endowment of the University of Coimbra is derived from the State, whose supervision is exercised over the University through the Home Department, by which the various Professors are appointed. Its only other source of revenue is that yielded by various kinds of fees, especially matriculation fees.

The University of Coimbra was instituted by the King Dom Diniz on the 11th February, 1288. It was originally established in Lisbon, and was afterwards transferred to Coimbra, and permanently fixed there by Dom John III. in April 1537. Its restoration took place on the 28th August, 1772, in the reign of Dom Jozé I., and it was re-formed by the Queen Dona Maria II. on the 5th December, 1836. The number of students or undergraduates is over 1,000.

There is no relation whatever of the University—which has been favoured by various Popes with special privileges—to the Episcopate in Portugal; the Bishop of Coimbra, however, claims the right, as the Prelate of the diocese, to control and censure any unorthodox opinions and doctrines of the Professors, either of the clergy or laity, as instanced by a case which occurred some years ago with the present Bishop.

Lisbon, March 19, 1897.

PRUSSIA.

No. 14.

Sir F. Lascelles to the Marquess of Salisbury.—(Received August 15.)

Berlin, August 12, 1898.

MY LORD,

With reference to your Lordship's despatch of the 31st ultimo, I have the honour to inclose a Report by Mr. Whitehead, Second Secretary in Her Majesty's Diplomatic Service, containing information on the points mentioned in your Lordship's Circular despatch of the 16th February, 1897, relative to the University Education of Roman Catholics in Prussia.

I have, &c.,

(For Sir Frank Lascelles),

(Signed), GOUGH.

Inclosure in No. 14.

Report on the Provision made for the University Education of Roman Catholics in Prussia.

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Introduction.

No special arrangements exist in Prussia for the University Education of Roman Catholics as such, except in regard to the study of Roman Catholic Theology. The institutions of the Prussian State, in which academical teaching is given, admit all students who are otherwise duly qualified, without distinction of creed.

Special provision is made for the teaching of Catholic Theology in the Universities of Bonn and Breslau, in the Academy at Münster, and in the "Lyceum Hosianum" at Braunsberg. The Academy at Münster differs from the Universities in possessing two Faculties only—one of Catholic Theology and one of Philosophy. The Lyceum Hosianum is exclusively intended for the education of Catholic theologians.

Protestant Theology is also taught at the Universities of Bonn and Breslau.

Constitution of the German Universities in general.

The earliest Universities in Germany were private Corporations, and, although under the general supervision of the State, elected their own governing bodies and had jurisdiction over their members. They had in most cases, however, been founded and endowed by the Sovereign, and from the fifteenth century onwards, and especially since the middle of the seventeenth century, the power of the State became paramount over them. The Prussian Common Law ("Landrecht") accordingly formulates as the existing law, and as an obvious maxim that: "Schools and Universities are institutions of the State, which are intended for the instruction of youth in useful knowledge and science."

At present, therefore, the Prussian Universities are institutions governed and maintained by the State. Extraneous co-operation or interference, such as was formerly exercised by the Papacy or the Empire, no longer exists. The right of conferring degrees issues directly from the State authority, which also determines the constitution and statutes of each University. The State likewise establishes professional Chairs and institutes required for University teaching (libraries, laboratories, &c.); the Professors and the Superintendents of these institutes are State officials. The Universities are directly subordinated to the Minister of Education, and are not dependent upon the provincial authorities. At a certain number of the Universities the Ministry of Education is represented by a Curator (in some cases called Chancellor); his office consists in exercising the general State supervision over the University, and all communications with the Ministry pass through his hands.

The Universities have, nevertheless, retained considerable remnants of their former independence, the most important being the free election of the Academical authorities. The head of each University is the Rector. He is elected annually by the whole body of regular Professors, and represents the University in all its affairs. The subordinate officials are under his orders; he carries out matriculations, and exercises supervision over the Associations and meetings of students. The Senate is also elected from among the regular Professors, but, besides the elected members, includes the Rector, the University Judge, and the Deans of the several Faculties. The Senate forms a Committee for general administration, and exercises disciplinary jurisdiction over the students. The penalties it can impose are fines up to 1*l.*, incarceration up to fourteen days, rustication, and expulsion.

The several Faculties at each University (*i.e.*, the regular Professors in any one group of subjects) also retain no small degree of independence and self-administration. They elect annually from among their number a Dean, who conducts the affairs of the Faculty. They are supposed to exercise supervision over the teaching and the morality of the students, and it is their special province to see that complete courses of lectures are provided in each term (half year). They administer the benefices (scholarships) and confer prizes; finally and above all, they hold examinations for Academical honours and confer degrees through the Dean. They also grant the *venia legendi* to private Lecturers, and in case of vacancies make proposals to the Minister of Education for the appointment of Professors.

With regard to teaching, the Universities enjoy almost complete liberty. The State supervision is limited to ascertaining that the necessary lectures are actually held, and that each Professor appointed and paid by the State does in fact give lectures. The number, scope, contents, and method of the lectures is left entirely to the discretion of each Professor.

Relation of the Universities to the Church.

The connection of the Universities with the Church was originally so close that in the Middle Ages, and even in the sixteenth and seventeenth centuries, they could with justice have been described as ecclesiastical institutions. Since the eighteenth century this connection has gradually become less intimate, and at the present day the Universities have entirely laid aside their ecclesiastical character.

The Protestant Churches in Germany have found no difficulty in accepting this situation, and have hitherto raised no objection to their clergy being educated in State institutions, over which they can exercise no formal control.

"It is different with the relations of the Universities to the Roman Catholic Church, not only in the Protestant, but even in the Catholic States of the Empire. The Church of Rome is a great and independent organized power, which is older in its traditions than any of the States of to-day; she claims the right to regulate the education of her servants herself, and has everywhere been able to make good this claim in its essentials."*

The Catholic clergy are mostly educated in institutions which are under the direct administration of the Bishops, *i.e.*, in the clerical seminaries. The attempts which were made in Prussia between the years 1870 and 1880 to bring the education of the priests under the influence of the State have been abandoned. A certain supervision by the State over the episcopal institutions does indeed still exist to this day, but only in cases where the constitution and curriculum of the clerical seminaries are submitted to the Minister of Education, with a view to their certificates being admitted as equivalent to University degrees for the purposes of appointments subject to State sanction.

On the other hand, the Faculties of Catholic Theology at the Universities are in fact dependent on the Church; before a Professor is appointed an agreement is arrived at with the ecclesiastical authorities, and even after appointment the Church can effectually suspend his activity by prohibiting attendance at his lectures. The Catholic Church has completely established its claim to the control of teaching; in the Catholic Theological Faculties only approved doctrine is taught, and the Professors are servants of the Church.

In recent times the endeavours of the Catholic interest have been directed towards the establishment of Ecclesiastical Universities independent of the State;

* Lexis, "Die deutschen Universitaten."

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a small number of such "free Universities"* already exists in Belgium, France, and Italy. For German-speaking Catholics it has been proposed to found an institution of this kind at Salzburg, but the realization of this project appears to be still far distant.

Regulations for the Catholic Theological Faculty at the University of Breslau.

The Catholic Theological Faculty of the University of Breslau is designed for the encouragement of the study of Catholic Theology and for its teaching. It exercises supervision over the students of Catholic Theology at the University, holds examinations for the annual prize competitions, and confers the Decrees of Licentiate and Doctor of Theology.

Without prejudice to the general legal equality of the different faculties of the University, the Catholic Theological Faculty holds, alternately with the Evangelical Theological Faculty, from year to year, the first place in precedence. According to such precedence is determined, not only the position of the lectures on Catholic Theology in the general list of lectures, but the places which the members of the Catholic Theological Faculty occupy in ceremonial processions of the whole University, the seat reserved for their Dean in the Senate, the position of his signature when he signs for the Faculty, and his precedence on other occasions when he represents it.

In the wider sense the Faculty consists not only of all the Professors of Catholic Theology at the University, but also of the private Lecturers and of the students entered in their register. In the narrower sense, and considered as an academic authority, it consists only of the real members of the Faculty, *i.e.*, of the regular Professors appointed by the King.

The management of the affairs of the Faculty are entrusted to the Dean, who is *ex officio* a member of the Academical Senate, and represents the Faculty on it. He is elected annually by the members of the Faculty from among their number, immediately after the election of the Rector of the University, by simple majority of votes, and enters upon his office on the day fixed for the change of rector and the nomination of the Senate. In case of equality of votes the retiring Dean decides. In case of absence, removal, sickness, or death, the place of the Dean is taken by his immediate predecessor.

When a vacancy occurs, or when the establishment of a further Professorship is considered necessary, the Faculty has the right to make proposals to the Ministry in regard to the appointment. Any person appointed to be a regular Professor must obtain the Degree of Doctor of Theology (should he not already possess it) within a year of his appointment; extraordinary Professors must obtain at least the Degree of Licentiate of Theology within the same space of time.

Any person who desires to become a private Lecturer must apply to the Faculty for habilitation in writing and in the Latin tongue. His application must be accompanied by—

1. A *curriculum vitæ* in Latin;
2. The original diploma of his Degree of Licentiate or of Doctor of Theology;
3. Proof that at least two full years have passed since he concluded his theological studies;
4. The sanction of his Bishop;
5. The written declaration of the Curator that there is no objection to his habilitation on the part of the State;
6. A statement of the lectures he proposes to give;
7. A printed or written dissertation upon one of the subjects on which he proposes to lecture, certified to be his own composition.

Private Lecturers must be at least in Deacon's Orders.

The subjects taught by the Catholic Theological Faculty at Breslau are the following:—

1. Church History, with Christian Archæology, Patristics, History of Ecclesiastical Constitution and Law.
2. Exegesis of the Old and New Testament, Biblical Criticism and Hermeneutics, and Biblical Archæology.
3. Dogmatics.
4. The Science of Religion, Moral Theology.
5. Ecclesiastical Law.
6. Pastoral Theology.

The Degrees conferred by the Faculty are those of "Licentiatus S.S. Theologiæ" and of "Doctor S.S. Theologiæ." A candidate for the former must be in Deacon's Orders, must have studied for three years at a University, or, if previously educated at an Episcopal Seminary, at least one year at a University. He must produce certificates of attendance at lectures covering the complete course of theological studies, must hand in a treatise in Latin on a theological subject of his own selection, together with a Latin autobiography. He must also pass a *viva voce* examination before the assembled Faculty, and some time later defend a thesis in disputation against opponents named by the Faculty.

For the Degree of Doctor of Theology a somewhat similar course is prescribed, but the Degree cannot be taken until four years after the conclusion of the candidate's University studies.

The final section of these Regulations (which were issued by the Royal Minister of Education on the 13th September, 1840) refers to the relations of the Catholic Theological Faculty to the Episcopal See of Breslau. These relations are based upon the Royal Instruction of the 26th August, 1776, for the priests of the Royal Schools Institute for Silesia, and the new Royal School Regulations for the University of Breslau of the 26th July, 1800, and are as follows:—

(*a.*) That no person shall be appointed to the Faculty of Catholic Theology at Breslau, or admitted to lecture in it, without previous consultation with the Episcopal See of Breslau, and that the latter shall have the right, on the ground of well-founded objections to the teachings or conduct of the person proposed, to refuse to consent to his appointment or admittance.

(*b.*) If, contrary to expectation, a member of the Faculty of Catholic Theology at Breslau should at any time in his lectures or in writings impugn the Catholic faith or teaching, or give marked offence in any other way in moral or religious respects, the Episcopal See is authorized to report him to the Ministry of Education, who will, upon such report, take earnest and energetic steps to obtain redress.

(*c.*) In general, the Faculty of Catholic Theology is placed under the spiritual supervision of the Bishop of Breslau, in so far as the Catholic Church is concerned in its work.

The Bishop has the right to visit the Faculty, or to cause it to be visited, at any time. The half-yearly lists of lectures must be submitted to him, and in them the books must be indicated upon which the lectures are founded. It is the duty of the Faculty to give respectful attention to any observations which the Bishop may make on purely theological subjects, and as far as possible to give effect to them. His spiritual supervision extends also to each individual member of the Faculty in his capacity of a Catholic priest, and the Bishop is authorized, after previous communication with the Ministry, to administer a suitable rebuke in cases where that character has been offended against.

Statutes of the University of Bonn, September 1, 1827.

It is stated in Section 6 of the Statutes of the University of Bonn (founded in 1818), that "in respect to matters of religion and creed, the University is a mixed one in which the two creeds are on a footing of parity. The teachers of Theology form two separate faculties, one Evangelical and one Catholic, each complete in itself, and having equal rights and equal rank, which in all matters of precedence shall alternate with one another, from year to year." The same Section 6 further states that in the legal Faculty, at least one of the regular Professors must be a Roman Catholic, in order that he may undertake the teaching of Catholic Ecclesiastical Law; and that in the Philosophical Faculty there must always be two regular Professors of Philosophy and of History, one a Catholic and one a Protestant, but that otherwise, and except of course in the Theological Faculties, no regard shall be paid to religious creed in the appointment of Professors.

For each of the two creeds academical Religious Services are arranged (Section 7), for Protestant members of the University in the Chapel of the Palace, which is used by the Evangelical Community at Bonn, and to which, besides the Pastor of the Community, a Special University Reader is appointed; for the Catholic members in one of the churches in the town.

* With regard to one of these "Free Universities," the following is of interest: The University of Leipzig has recently decided not to recognize the University of Freiburg in Switzerland as an academical institution. The immediate consequence of this will be that terms kept at Freiburg will not be counted, and that degrees conferred there will not be recognized.—*Cologne Gazette*, September 1, 1898.

Section 3 states, "That in respect of religious creed all members of the University have equal rights, is but a consequence of our general Laws, but shall here once more be specially laid down.

"It is our earnest will that all members should recollect that, especially in a mixed institution, everything must be avoided which must touch the rights of the one or the other creed, and thereby cause dissatisfaction or complaints.

"We, therefore, repose confidence in all teachers at the University that, in these circumstances, they will act with Christian charity, with caution, and with tender consideration, and on all occasions promote mutual satisfaction, and a good understanding."

The Catholic Theological Faculty of the University of Bonn.

For the Catholic Theological Faculty of the University six regular Professors are appointed, of whom two are for the systematic part of Theology (one for Dogmatics, the other for Ethics, together with the encyclopædia and method of the theological sciences); two for the exegetical part (of whom one for New Testament exegesis, the other for the Old Testament, for Biblical Criticism and Hermeneutics); one for the Historical part, including the history of Dogmas, Biblical Archæology, Christian Antiquities, and Patristics, and one for the practical part of Theology.

The Evangelical Faculty also has six regular Professors, with an almost identical division of subjects.

The Statutes for the Catholic Theological Faculty of the University of Bonn were issued by the Prussian Minister of Education on the 18th October, 1834, and have since been repeatedly amended by Ministerial Decrees. They correspond in general to the "Regulations" for the Catholic Theological Faculty at Breslau, and extracts from the Royal Instruction of 1776, and the School Regulations of 1800 (mentioned above) are printed as annexes to them.

The Statutes describe the general objects of the Catholic Theological Faculty at Bonn to be "the investigation, development, and extension of all Catholic theological sciences"; and its special object to be "the training of able and worthy clerics for the service of the Catholic Church in the Western Provinces of the Prussian State."

The constitution of the Catholic Theological Faculty at Bonn is in general similar (in regard to its members, the election of its Dean, &c.) to that of the corresponding Faculty of Breslau; its relation to the Church of Rome is determined by the objects for which it was established, and follows in general the analogy of the Canon Law."

By a Royal Decree of the 13th April, 1825, the Archbishop of Cologne is granted the same rights of supervision over the Catholic Theological Faculty at Bonn, as are exercised by the Bishop of Breslau over the corresponding Faculty in that University.

The Catholic Theological Faculty is an integral part of the University; its members and students are bound by the constitution and rules of the University, and enjoy the privilege and rights of members of the University according to their several positions. Every regular member of the Faculty is not only entitled but bound to take part in the collegiate consultations and affairs. Partial or complete, temporary or permanent dispensation from these duties can only be granted by the Minister of Education.

By Section 10 of the Statutes, the Catholic Theological Faculty is specially enjoined "without prejudice to its duties towards the Catholic Church," to observe the prescriptions of Section 8 of the General Statutes of the University in regard to the maintenance of amicable relations between the two religious sections.

The election of the Dean of the Faculty, which takes place within two days after the election of the Rector of the University, requires confirmation by the Minister of Education.

The member of the Legal Faculty who is appointed to lecture on Ecclesiastical Law in the Theological Faculty must be selected with the approval of the Archbishop; he takes part in the affairs of the Faculty in so far as they concern his special subject.

Regular and Extraordinary Professors, being Roman Catholics, who belong to other Faculties of the University, and desire to give lectures for students of Catholic Theology, must obtain the consent of the Faculty before doing so. In case of refusal, they may appeal to the Minister of Education, but in any case the approval of the Archbishop is necessary under the Royal Instruction of 1776.

In case of a vacancy among the Regular Professors, the Faculty is entitled to submit three names to the Minister of Education, through the Curator of the University.

Every newly-appointed Regular or Extraordinary Professor, and every private Lecturer, is bound, before he begins to give lectures, to declare to the Dean, in the presence of the assembled members of the Faculty, and in conformity with the usages of the Church, his assent to the Catholic Creed as laid down by the Council of Trent. The Dean then draws up a Protocol in the Latin tongue to the effect that this has been done, which is signed by all present, and of which certified copies are transmitted to the Ministry, and to the Archiepiscopal See.

The Regulations for admission to the Degrees of Licentiate and Doctor of Theology are, in general, similar to those at the University of Breslau, except that the former Degree has fallen into disuse, and that the latter cannot be taken until six (instead of four) years after the conclusion of the candidate's academical studies.

The Rules for the habilitation of private Lecturers are similar, but somewhat more detailed and explicit than those in force at Breslau, and the habilitations are more directly dependent on the Curator and the Minister of Education.

Statutes of the Academy at Münster.

The "Theological and Philosophical Academy" at Münster, is the remnant of a former University in that city, which was dissolved when the University of Bonn was founded in 1818. Its principal object is "the scientific and religious training of youths who desire to enter the clerical profession in the Catholic Church in Prussia, and especially in the Province of Westphalia." As a minor object it also provided for the training of teachers in grammar schools.

The academy consists of two Faculties, a philosophical and a theological one, and is "in every respect under the immediate supervision and direction of the Ministry of Education." The Governor ("Ober Präsident") of the Province of Westphalia is Curator of the institution, and the immediate official superior of all persons belonging to it.

In regard to the Theological Faculty, the position of the Academy towards the Episcopal See at Münster is in every respect the same as that of the Theological Faculties of the Universities of Bonn and Breslau to the Archbishop of Cologne and the Bishop of Breslau respectively.

Before the appointment of a regular Professor or private Lecturer for the teaching of "theoretical or practical Philosophy," the Bishop must be asked whether he has any observations to make as to the orthodoxy or moral character of the candidate.

The government of the institution is conducted by the Senate, consisting of all the regular Professors of both Faculties, and by the Rector, who is selected by the Minister of Education from among three of the regular Professors proposed by the Senate, and is appointed by the Minister for one year. The Curator has the right to attend and preside over meetings of the Senate whenever he sees fit to do so, and to call extraordinary meetings. The regular and extraordinary Professors at the Academy have equal rank with those at a Prussian University. The regular Professors are appointed by the King on the recommendation of the Ministry of Education; the extraordinary Professors by the Ministry; the private Lecturers by the Faculty, with the sanction of the Ministry.

The Philosophical Faculty of the Academy is intended for the instruction of the students in those branches of knowledge which are necessary to complete their intellectual culture, and which are specially adapted to prepare them for the study of Theology. It also affords a means of training to those students who intend to become teachers in grammar schools.

Professorial Chairs exist in the Philosophical Faculty for the following subjects:—

1. Theoretical and Practical Philosophy.
2. Greek and Roman Literature and Archæology.
3. History and Modern Literature.
4. Mathematics and Physics.
5. Anthropology, Chemistry, Botany, Mineralogy and Zoology.

Since 1845 the Philosophical Faculty has been conceded the right to confer the Degrees of Master of Arts and Doctor of Philosophy.

The object of the Theological Faculty of the Academy at Münster is the thorough training of Catholic "Theologians."

Professorial Chairs exist for the following subjects—

1. Exegesis of the Old Testament.
2. Exegesis of the New Testament.
3. Church History.
4. Dogmatics.
5. Christian, Moral, and Pastoral Theology.
6. Ecclesiastical Law.

Of these six Chairs, four are to be filled by regular and two by extraordinary Professors.

Although, according to the Bull "de salute animarum," the Theological Faculty has a right to canonries in the Cathedral at Münster, it is laid down in the Statutes that not more than two members of the Faculty shall at the same time belong to the Chapter.

The "Regens" for the time being of the Episcopal Seminary at Münster, provided that he is a Doctor of Theology and is otherwise proved to be qualified by his learning, has a seat and a vote in the Theological Faculty of the Academy, and is entitled to hold lectures as an honorary Professor.

The Theological Faculty of the Academy at Münster confers Degrees of Licentiate and Doctor of Theology, under conditions very similar, as to residence and examinations, to those required at the Universities of Bonn and Breslau.

Intending students of Catholic Theology at the Academy in Münster were formerly obliged to employ the first year of their residence in general studies, under the Philosophical Faculty, and could then only pass on to the theological course. This was altered in 1876, and they may now begin their theological studies at once.

The conditions for the admission of students, in regard to previous studies, &c., are similar to those in force at the Universities.

The Lyceum Hosianum at Braunsberg.

The Lyceum Hosianum at Braunsberg, originally founded by Cardinal Hosius, Bishop of Ermland, in 1568, was re-established by King Frederick William III. in 1818. Its present Statutes date from the 24th October, 1843.

The Lyceum Hosianum is a privileged Corporation, governed by a Rector, Senate and Curator (the Governor of the Province of Prussia).

It is intended for the education of aspirants to the clerical profession of the Catholic Church in the Diocese of Ermland, but is also open to students from other parts of the Province of Prussia. It consists of a Philosophical and a Theological Faculty, but the former is entirely subordinate and preparatory, intended only to complete the general education of the students. Its relations to the Government, the Ministry of Education, and the Episcopal See of Ermland correspond, *mutatis mutandis*, to those of the Academy at Münster; as do also its curricula in both Faculties. It grants certificates to departing students on the completion of their course of studies, but does not confer Degrees.

Financial Status of the Prussian Universities.

The expenditure necessary for the maintenance of the Prussian Universities is in almost all cases met chiefly out of State funds,* a small part only being covered by the revenues of endowments and University property, and by the direct receipts of the Universities. In the last-mentioned source of revenue lecture fees should in general not be included, as they are the personal perquisites of the Professors; but since the improvement in the salaries of University Professors, which came into force on the 1st April, 1897, it has been decided that should the fees payable to any individual Professor exceed the sum of 150*l.* (in Berlin 225*l.*) in any one year, then one-half of their amount flows into the State Treasury, and is subsequently distributed among Professors whose receipts from lecture fees fall below the prescribed limit.

The total ordinary revenue and expenditure of the eleven Prussian Universities (including the Academy at Münster and the Lyceum Hosianum) was as follows:—

	State Subsidies.	Total Receipts and Expenditure.
	£	£
1892-93, ...	370,342	527,968
1893-94, ...	373,012	534,588
1894-95, ...	376,385	549,268
1895-96, ...	380,501	563,583
1896-97, ...	386,065	570,865
1897-98, ...	394,006	583,148
1898-99 (estimates), ...	438,198	615,707

Revenue and Expenditure of the Universities of Breslau and Bonn, the Academy at Münster, and the Lyceum Hosianum.

The following Tables show the general revenue and expenditure of the Universities of Breslau and Bonn, the Academy at Münster, and the Lyceum Hosianum at Braunsberg, as published in the annual Estimates of the Prussian Ministry of Education:—

Revenue.	Breslau.	Bonn.	Münster.	Braunsberg.
	£	£	£	£
State subsidy—				
1896-97, ...	47,182	46,492	8,763	1,256
1897-98, ...	49,198	47,104	8,748	1,275
1898-99, ...	53,520	49,620	13,984	2,941
From foundations destined for general and special purposes—				
1896-97, ...	58	436	4,110	990
1897-98, ...	58	436	4,110	990
1898-99, ...	..	436	63	5
Interest of capital, rent of land, and other revenues				
1896-97, ...	1,462	736	20	55
1897-98, ...	1,462	736	20	55
1898-99, ...	1,398	736	20	53

* The University of Göttingen is a notable exception.

TABLE.—*continued.*

Revenue.	Breslau.	Bonn.	Münster.	Braunsberg.
	£	£	£	£
Direct receipts, exclusive of lecture fees—				
1896-97, ...	11,227	11,136	450	5
1897-98, ...	11,227	11,136	450	5
1898-99, ...	12,470	11,136	585	27
Total—				
1896-97, ...	59,929	58,800	13,343	2,306
1897-98, ...	61,945	59,412	13,328	2,325
1898-99, ...	67,388	61,928	14,652	3,026

The State subsidy for each University is voted by the Prussian Parliament, and is included in the Estimates of the Minister of Public Worship, Education, and Medicinal Affairs.

As shown in the above Table, the receipts from endowments and University property at Bonn and Breslau are insignificant in amount as compared with the State subsidy.

The change in the ratio between State subsidy and endowment at Münster and Braunsberg from 1897-8 to 1898-9 is explained by the fact that it was decided in 1897 to take foundations which did not enjoy an independent legal status ("selbständige juristische Persönlichkeit") into the direct administration of the State, and, while continuing to devote them to the purposes for which they were intended, include them in the annual Estimates of the Ministry of Education.

Among the foundations thus dealt with were: (1) the "Studienfonds" at Münster, and (2) the Catholic portion of the "Neuzelle" Fund.

The "Studienfonds" at Münster was derived from property of the Jesuits and of the Uebernassu Monastery at Münster. It was applied in 1773 to the support of educational institutions formerly conducted by the Jesuits, and to the establishment of the University of Münster. During the French dominion it passed to the Imperial Domains, but was restored in 1818 to the service of the Academy founded in lieu of the University.

The revenue of the "Studienfonds" is calculated in the Estimates for 1898-9 at 9,970*l.*, of which 4,110*l.* were paid in former years direct to the Academy at Münster, and are now to be included in its State subsidy.

The "Neuzelle" Fund is derived from the property of the former Cistercian Monastery at Neuzelle, in the Lower Lausitz, which was secularized in 1817. The net revenue of the fund (after deducting payments provided for in the foundation, and cost of administration) amounts to 5,725*l.*, and is devoted to Protestant and to Catholic educational purposes in equal shares. From the Catholic portion the sum of 990*l.* per annum has hitherto gone to the Lyceum Hosianum, and is now included in the State subsidy to that institution.

The direct receipts of the Universities consist in matriculation and other fees paid by the students, of a portion of the fees for Degrees (which, however, are insignificant in the Theological Faculties), but chiefly in the receipts of the various classical institutes.

Expenditure.	Breslau.	Bonn.	Münster.	Braunsberg.
	£	£	£	£
Cost of Academic Administration—				
1896-97, ...	2,454	2,756	578	84
1897-98, ...	2,454	2,599	578	97
1898-99, ...	2,585	2,599	712	98
Salaries of Professors and other teachers—				
1896-97, ...	19,818	20,608	7,197	1,885
1897-98, ...	20,355	20,645	7,107	1,885
1898-99, ...	22,200	22,145	8,052	2,485
For the institutes and collections, and for public worship—				
1896-97, ...	31,143	27,880	3,347	142
1897-98, ...	32,073	28,574	3,253	142
1898-99, ...	35,337	29,279	3,323	205
For prizes, scholarships, and exhibitions—				
1896-97, ...	480	702	232	7
1897-98, ...	480	702	232	7
1898-99, ...	480	702	232	32
For buildings, rates, and taxes—				
1896-97, ...	2,009	2,384	400	26
1897-98, ...	2,275	2,443	420	32
1898-99, ...	2,344	2,473	420	33
To meet failure of revenue and unforeseen expenses, &c.—				
1896-97, ...	1,277	1,258	314	42
1897-98, ...	1,365	1,162	420	42
1898-99, ...	1,400	1,422	629	53
House rent allowances to Professors and officials—				
1896-97, ...	2,748	3,212	1,275	120
1897-98, ...	2,943	3,287	1,318	120
1898-99, ...	3,043	3,308	1,284	120

The expenditure for "Academic administration" includes charges such as the salary of the Curator (at Bonn 300*l.*), of the University Secretary, the Rector's Secretary, and the Curator's Secretary (at Bonn, together, 480*l.*), wages of various officials and servants, stationery, and other expenses.

Salaries of Professors.

In the Catholic Theological Faculty at Breslau there are eight regular Professors (in future six), with salaries varying from 240*l.* to 300*l.*, and amounting in all to 2,140*l.*, and three extraordinary Professors with sala-

ries varying from 105*l.* to 150*l.* The Protestant Theological Faculty has six regular and two extraordinary Professors with salaries amounting together to 2,010*l.*

At Bonn the Catholic Theological Faculty has eight regular Professors, also to be reduced to six in future, with salaries varying from 220*l.* to 280*l.*, and amounting together to 1,960*l.*, and two extraordinary Professors, whose salaries amount to 290*l.* (140*l.* and 150*l.*). The salaries of the Protestant Theological Faculty amount in all to 2,505*l.*

At the Academy in Münster there are seven regular Professors in the Theological Faculty, with salaries varying from 100*l.* to 260*l.* (in all 1,160*l.*), and two extraordinary Professors with salaries of 130*l.* and 140*l.*

At the Lyceum Hosianum there are five regular Professors in the Theological Faculty, with salaries from 200*l.* to 300*l.*, amounting in all to 1,360*l.*

Cost of the Catholic Theological Faculties at Bonn and Breslau.

Except the above actual salaries of the Professors, it is not possible to determine accurately from the existing statistics what share of the total expenditure of the Universities of Bonn and Breslau should be assigned to the Catholic Theological Faculty; but, judging roughly by analogy from the Academy at Münster, which educates about the same number of Catholic theological students as each of the two Universities, it may be estimated at about £5,000 to £6,000 per annum.

The following Table is an attempt to separate roughly the cost of the Catholic Theological Faculty from the general expenses of the two Universities, and gives approximately the same result:—

1898–99.	Breslau.	Bonn.
Professional salaries—		
Regular, ...	2,140	1,960
Extraordinary, ...	255	290
One-fifth of expenses of University library, ...	604	606
Catholic Theological Seminary, ...	37	30
One-half of expenses of Institute for Church Music, ..	892	—
One-half of expenses of academic divine worship (University preacher, &c.), ...	—	90
One-fifth of general expenditure (administration, buildings, rates, unforeseen expenses, and house rent allowances), ...	1,874	1,960
	5,802	4,936

The Academy at Münster and the Lyceum Hosianum, being mainly theological institutions (viz., at Münster the total number of students in 1894-95 was 408, of which 275 were studying Theology; at Braunsberg, out of a total of thirty-six there were twenty-two theologians), the whole expenditure may be considered as devoted to Catholic theological education.

Lecture Fees and other Emoluments of Professors.

The salaries and house allowances of the regular and extraordinary Professors at the two Universities and at the Academy at Münster, given above, do not represent their whole income. They receive besides a certain share of the fees for examinations and degrees, and emoluments when elected Dean of the Faculty (at Breslau £36, and Bonn £35), &c., but especially they receive direct fees from the students attending their lectures. This does not apply to Braunsberg, where all lectures are free.

In the year 1896-97 (winter and summer half years) sixty-four courses of lectures were given by the Catholic Theological Faculties at Breslau, Bonn, and Münster, attended by a total of 5,220 students. The average attendance at each course of lectures was: at Breslau 80, Bonn 67, Münster 104. The fees paid by the students for these lectures amounted to a total of £3,080, so that from this source somewhat over £1,000 should be added to the Professorial salaries at each of the Universities, and somewhat under £1,000 to the salaries of the Theological Professors at Münster, where the fees are lower. The average fee for each course of lectures was about 11*s.* 6*d.* The limitation recently introduced to the amount which any one Professor may obtain by lecture fees has been mentioned above.

Number of Roman Catholics receiving University Education compared to the total Catholic Population.

The population of Prussia, divided according to religious creed, was as follows:—

	Census of 1890.	Census of 1895.
Total population, ...	29,955,281	31,855,423
Protestants, ...	19,230,376	20,351,448
Roman Catholics, ...	10,252,807	10,999,505
Jews, ...	372,058	379,716

The following Table shows the total number of students of Prussian nationality at all the Faculties in the eleven Universities of the kingdom from 1892 to 1895, divided according to religious creed:—

	Total.	Protestants.	Catholics.	Jews.	Undetermined.
Winter, 1892–93, ...	9,842	6,738	2,141	925	38
Summer, 1893, ...	9,893	6,667	2,302	876	48
1893–94, ...	9,860	6,616	2,271	928	45
1894, ...	9,876	6,500	2,435	895	46
1894–95, ...	10,262	6,828	2,430	962	42

The number of Roman Catholic students at the Universities in 1894-95 was therefore at the rate of 22 per 100,000 of the Roman Catholic population, as compared with Protestants, 33 per 100,000; Jews, 253 per 100,000.

The number of students of Roman Catholic Theology of Prussian nationality at the German Universities during the same period was as follows:— DOCUMENTS.

PRUSSIAN UNIVERSITIES.

Half-year.	Total.	Breslau.	Bonn.	Münster.	Braunsberg.
1892-93, ...	608	186	165	232	25
1893, ...	693	221	204	239	29
1893-94, ...	664	202	203	235	24
1894, ...	757	254	225	254	24
1894-95, ...	723	239	212	250	22

OTHER GERMAN UNIVERSITIES.

Half-year.	Total.	Freiburg.	Munich.	Tübingen.*	Würzburg.
1892-93, ...	27	12	8	2	5
1893, ...	66	34	12	4	16
1893-94, ...	37	22	9	1	5
1894, ...	66	39	10	4	13
1894-95, ...	48	23	11	3	11

It follows that in the winter half-year 1894-95 nearly 30 per cent. of all Roman Catholic students of Prussian nationality at the Prussian Universities were studying Roman Catholic Theology. The remaining 70 per cent. were very evenly divided among the other Faculties.

The following Table gives the average number of students of Catholic Theology at the German Universities from 1831-32 to 1892-93 (in periods of five years), and is interesting as showing the effect of the "Kulturkampf" in the period between 1871 and 1881.

Period.	Breslau.	Bonn.	Münster.	Braunsberg.	Munich.	Würtzburg.	Tübingen.	Freiburg.	Total.	Per Million Catholic Inhabitants.
1831-36	218	195	187	24	281	90	142	143	1,310	100·3
1836-41	171	99	150	30	185	88	91	99	960	—
1841-46	198	117	153	33	183	89	132	85	1,027	93·3
1846-51	219	184	174	42	241	114	136	138	1,297	—
1851-56	230	202	193	37	214	96	143	185	1,300	95·9
1856-61	180	219	258	42	136	96	134	179	1,244	—
1861-66	176	211	254	36	95	89	130	162	1,153	81·8
1866-71	139	186	231	19	92	82	100	133	982	67·0
1871-76	95	107	213	12	76	134	115	84	836	55·0
1876-81	65	87	94	18	84	142	149	43	682	42·6
1881-86	151	78	172	19	121	181	155	73	952	56·8
1886-91	180	135	263	25	147	152	156	173	1,231	70·2
1891-92	181	165	252	28	136	149	167	208	1,286	71·5
1892	211	208	265	28	137	150	171	203	1,373	76·3
1892-93	189	173	264	26	135	136	172	215	1,310	72·8

The proportion of the students of Roman Catholic Theology to the Roman Catholic population in the whole of Germany was, therefore:—

1831-1861, . On an average about 9·5 per 100,000.
1876-1881, . ,, ,, 4·2 ,,
1891-1893, . ,, ,, 7·4 ,,

On the basis of the Prussian statistics for 1887-1890, Lexis calculates that of the whole population of Prussia 64·24 per cent. are Protestants; of the University students 72·11 per cent. In the Secondary schools the percentage of Protestants is 80·88 per cent., in the Primary schools 63·13 per cent. The Catholic population of Prussia is estimated at 34·15 per cent. of the whole; in the Primary schools this proportion is approximately maintained, viz., 33·71 per cent.; in the Secondary schools it sinks to 10·4 per cent., but rises again in the higher schools to 17·5 per cent., and in the Universities to 18·62 per cent. (According to the Table given above the proportion was 21·75 per cent. in 1892-93 and 23·77 per cent. in 1894-95.) There are, therefore, relatively far fewer Catholic than Protestant students at the Universities. Lexis explains this by pointing out that a large part of the Catholic population of Prussia consists of the Polish labouring classes in the eastern provinces, who naturally cannot send their sons to the Universities.

Exactly the opposite holds good in the case of the Jews, who are only 1·28 per cent. of the whole population, 6·74 per cent. in the Primary schools, 8·3 per cent. in the Secondary schools, 9·7 per cent. in the higher schools, and 8·9 per cent. at the Universities.

Parentage of Students of Catholic Theology.

The following Table gives an account of the students of Catholic Theology of Prussian nationality in the winter half-year 1892-93, in regard to the position and occupation of their parents:—

Sons of—	Actual Number.	Per cent.
Members of the professional classes, Government officials, larger landowners, and other persons of independent means.	36	5·92
Small agriculturists, peasants, market gardeners, &c.,	173	28·45
Lower officials, schoolmasters, clerks, musicians, &c., ..	134	22·04
Persons employed in industry, especially small independent artizans and workmen.	174	29·44
Tradesmen, shopkeepers, publicans, &c., ...	86	14·15
	603	100·00

* Tübingen (in Wurtemburg) is the only other German University at which both Protestant and Catholic Theology is taught.

DOCUMENTS, VIII.

Episcopal Clerical Seminaries.

The rights of supervision and control granted by the Statutes of the Catholic Theological Faculties of the Universities of Bonn and Breslau, and by the Statutes of the Academy at Münster and the Lyceum Hosianum, to the Archbishop of Cologne and the Bishops of Breslau, Münster, and Ermland respectively, are based on the consideration that each of these Institutions is, in fact, mainly attended by students of Catholic Theology belonging to the diocese in which it is situated. For the training of Catholic theological students from other parts of the kingdom, Episcopal Institutions exist which are recognized by the State. These are the Clerical Seminaries at Fulda, Hildesheim, Limburg, Osnabrück, Paderborn, Pelplin, Posen, and Treves. They are maintained and managed by the Bishops, but are under the general supervision of the State. Their curriculum, and their Rules as to the qualification of teachers, are in the main similar to those of the State Institutions.

The attendance at the five Institutions of this kind which are mentioned in the Prussian statistics was as follows in the winter half-year of 1894-95:—

	Total.	Prussians	Other Germans, &c.
Fulda, ...	85	77	8
Paderborn, ...	49	49	—
Pelplin, ...	59	59	—
Posen, ...	83	82	1
Treves, ...	132	127	5 (1 American).
	408	394	14

A minority of these students had previously been to a University.

(Signed) J. B. WHITEHEAD.

Berlin, August, 1898.

No. 15.

Sir F. Lascelles to the Marquess of Salisbury.—(Received February 26.)

(Extract.) *Berlin, February 23, 1900.*

I requested Her Majesty's Consul-General at Leipzig to ascertain whether it is a fact that the Leipzig University refuse to recognize degrees conferred by the University of Fribourg in Switzerland.

I have now received a reply from Baron C. von Tauchnitz reporting that the authorities of Leipzig University state that they refuse to recognize degrees conferred by the University of Fribourg if taken after Easter 1898.

ROUMANIA.

No. 16.

Lieutenant-Colonel Trotter to the Marquess of Salisbury.—(Received November 1.)

Bucharest, October 23, 1897.

MY LORD,

With reference to your Lordship's Circular despatch of the 16th February last, I have the honour to inclose herewith copy of the reply to the inquiries addressed by Mr. H. Browne to the Minister for Foreign Affairs on the subject of the University education of Roman Catholics in Roumania, from which it appears that there is absolutely no difference in the treatment accorded at the Universities of Bucharest and Jassy to members of different religious beliefs, that there are no special endowments for Roman Catholic students, and that there are no relations whatever between the Universities and the Episcopate.

There are no published statistics as to the number of Roman Catholics attending the Universities, but should I be able to ascertain the numbers I will communicate the same in a later despatch.

I have, &c.,

(Signed), HENRY TROTTER.

Inclosure in No. 16.

Roumanian Minister for Foreign Affairs to Mr. Browne.

Bucarest, le 7 (19) Octobre, 1897.

M. le Chargé d'Affaires,

En réponse à la lettre que vous avez bien voulu m'écrire le 22 Septembre (4 Octobre) dernier, j'ai l'honneur de porter à votre connaissance qu'à mon grand regret je ne puis fournir aucun renseignement au sujet de l'education universitaire des Catholiques en Roumanie, la croyance religieuse ne jouant aucun rôle pour l'inscription des étudiants aux universités de Bucarest et de Jassy; ces deux institutions dépendent directement de l'Etat et ne sont point considérées comme personnes morales, ayant un budget séparé; il n'y a aucune relation entre elles et l'Episcopat.

Veuillez, &c.,

(Pour le Ministre),

(Signé) D. GHICA.

(Translation.)

SIR, *Bucharest, October 7 (19), 1897.*

In reply to the letter which you were good enough to write to me on the 22nd September (4th October) last, I have the honour to inform you that, to my great regret, I am unable to furnish you with any particulars on the subject of the University education of Roman Catholics in Roumania, as no notice is taken of religious creed in the inscription of students in the Universities of Bucharest and Jassy; these two establishments are directly dependent on the State, and are not considered as corporate bodies with a special budget. There is no connection between them and the Episcopate.

I have, &c.,

(For the Minister.)

(Signed), D. GHICA.

RUSSIA.

No. 17.

Mr. Goschen to the Marquess of Salisbury.—(Received February 28, 1898.)

St. Petersburgh, December 31, 1897.

MY LORD,

On receipt of your Lordship's Circular despatch of the 16th February last, calling for information with regard to the provision made for the University Education of Roman Catholics in Russia, I caused inquiries to be made at the Ministry of Public Instruction, and have the honour to transmit herewith a translation of the reply returned to them.

The general Statutes under which the Imperial Universities are governed date from the 23rd August, 1884.

I have, &c.,

(Signed), W. E. GOSCHEN.

Inclosure in No. 17.

Report on the Provision made for the University Education of Roman Catholics in Russia.

(Translation.)

There are ten Universities in the Russian Empire. Seven of them are in European Russia, one (Tomsk) in Asiatic Russia, and one (Warsaw) in the Kingdom of Poland.

The Alexandra University in Helsingfors is not under the jurisdiction of the Ministry of Public Instruction.

The number of students in the nine Universities on the 1st January, 1896, was in round numbers 14,817. Of these 1,803 profess the Roman Catholic religion.

For the maintenance of the Universities a yearly sum of about 4½ million roubles (£479,000) is expended. Of this about 600,000 roubles (£64,000) are affected to special purposes.

About 250,000 roubles (£26,500) from the Treasury funds are employed for the payment of scholarships and allowances; and the remainder, 3,750,000 roubles (£399,000), also from the Treasury funds, are devoted to the maintenance of the staff, of the students, and the administration, for school appurtenances and household requirements.

There is no limitation in the case of Roman Catholics as regards the attendance of lectures, and in the matter of their holding scholarships and allowances.

Higher theological instruction is given to students of the Lutheran persuasion in the Yourieff University. For members of the Orthodox and Catholic religions there are corresponding ecclesiastical academies, which are not under the jurisdiction of the Ministry of Public Instruction.*

SERVIA.

No. 18.

Mr. Fane to the Marquess of Salisbury.—(Received October 4.)

Belgrade, September 25, 1897.

MY LORD,

With reference to your Lordship's Circular despatch of the 16th February last, inquiring as to the provision made for the University education of Roman Catholics in foreign countries, I have the honour to report that no University exists in Servia, and that, as regards the national High schools, the same educational facilities are enjoyed by Catholics as by persons belonging to the Greek Orthodox Church, or to any other communion.

I may add the observation that the Catholics in Servia, who are computed to number only about 10,000 persons, are placed (in virtue of a long-existing understanding with the Austro-Hungarian Government) under the spiritual jurisdiction of the See of Diakovar, in Croatia. In consequence of this the Austrian Government maintain three schools (at Belgrade, Kragoujevatz, and Nisch) for the special use of Catholic youths in Servia, but these establishments are little more than primary schools, and I am told that the scholars, in order to complete their education, pass from them into the ordinary High schools of the country.

I have, &c.,

(Signed), EDMUND FANE.

SPAIN.

No. 19.

Sir H. Drummond-Wolff to the Marquess of Salisbury.—(Received April 7.)

Madrid, April 3, 1897.

MY LORD,

In reply to your Lordship's Circular despatch of the 16th February, I have the honour to transmit to your Lordship a copy of a Memorandum, by Sir George Bonham, on the provision made for the University Education of Roman Catholics in Spain.

I have delayed sending this Memorandum, having received some additional information on the subject, at present only fragmentary, but which I hope in a few days to be able to complete.

From this I gather that although, as stated in the Memorandum, there exists in Spain no special provision for the University Education of Roman Catholics, or other religious denominations, the whole system being entirely secular, still there are means whereby special religious education may be secured in the grant of degrees by the Universities.

It appears that a student on matriculation may elect to be classed either as following the University courses in the Institutes or as a free student. For the taking of a degree he is bound to furnish certificates of having passed certain intermediate examinations. These certificates are given to him either by the Government Institute or by the religious establishment at which he studies. In the latter case a delegation from the University of the district is associated in the conduct of the examinations with the authorities of the religious establishment.

By this means the latter have clearly what may be deemed a negative voice in the grant of University degrees to their pupils.

I shall hope before long to be able to forward to your Lordship the text of the Regulation under which the system is carried out.

I have, &c.,

(Signed), H. DRUMMOND-WOLFF.

* In the Universities of St. Petersburgh, Moscow, Charkow, Kasan, Kiew, and Odessa, there is a Chair of Theology for the students of the Orthodox Religion of all Faculties. The Theological Professor, who is a member of the University Council, may also hold the office of an Archpriest of the University Church. His salary and allowances amount altogether to 3,000 roubles a-year.

DOCUMENTS, VIII.

Inclosure in No. 19.

Report on the Provision made for the University Education of Roman Catholics in Spain.

In Spain University Education since the revolution of 1868 has become entirely secular. No special provision is made for the education of Roman Catholics, or, indeed, of any religious denomination.

For the purposes of University Education the country is divided into ten districts, which are directly under Government control. These districts are:—Madrid, Barcelona, Granada, Oviedo, Salamanca, Santiago, Seville, Valencia, Valladolid, Zaragoza. Each district is under the superintendence of a Rector appointed by the Government, who exercises a general supervision, not only over his own University but over all the institutes or schools of higher education in his districts.

The system of education in these institutes, formed on the model of a French Lycée, closely resembles that in a University.

Spanish Universities are, to a great extent, looked upon as examining bodies. Although there is the regular University course of lectures, it is open to a student after matriculation to pursue his studies either in his own home or at one of the Colleges, such as that of Deusto, near Bilbao, belonging to the Jesuits, the Sacramonte at Granada, and the Augustinian College at the Escurial, but for the purpose of obtaining a degree they must pass the prescribed examination at one of the Government Universities.

These Universities are in fact mainly, though not exclusively, attended for the purpose of obtaining a degree "Licenciado" or "Doctorado," which are indispensable to enable persons to practise as lawyers, physicians, &c., in Spain.

The course of instruction is comprised under five Faculties, viz.: Philosophy, Science, Pharmacy, Medicine, and Law; each being under a Dean ("Decano") elected by the Professors ("Cathedráticos") themselves.

It will be seen that there is no Faculty or School of Divinity, and that no provision is made for religious education.

It should be stated that in the before-mentioned Colleges—Deusto, Granada, and the Escurial, which are under the control of the Bishop of the diocese—the regular University course of instruction is given to enable students to pass the examination and obtain a degree at one at the Government Universities. They do not, however, confer degrees themselves, and are not subject to Government control of any description.

The expenditure on University Education is provided for out of the annual grant for the Department of Public Works ("Fomento"), of which it forms a part under the superintendence of the Director-General of Public Instruction. In addition, however, to this provision, a Faculty of Science and one of Medicine at Salamanca, and one of Medicine at Seville, are supported by provincial or local funds.

The expenditure on University Education in the year 1892-93 amounted to 3,191,644 pesetas (£127,655), and the receipts from tuition, examinations, and fees for diplomas to 2,187,961 pesetas (£87,518), according to the latest Returns. It is the practice for the Minister to place the entire sum required in the Estimates, and for the fees, &c., to be received by the Government.

The latest available statistics show that in 1892-93 the number of students at the Universities was 28,949, or ·17 of a population of over 17,000,000 at the last Census, which, however, contains no statistics as to religion.

In addition to the support derived from the State, the Universities of Granada and Salamanca derive a small annual revenue from private property, said to date from the time of their foundation. This income is expended in sending some of the more intelligent pupils to study abroad.

The Government Universities are not in any way connected with the Episcopate; no inquiry is made with regard to the religion professed by those entering them, nor even respecting that of the Professors themselves.

Those intended for the priesthood are educated at seminaries, but the numbers have considerably decreased since 1868.

No. 20.

Sir H. Drummond-Wolff to the Marquess of Salisbury.—(Received April 23.)

Madrid, April 14, 1897.

MY LORD,

With reference to the concluding paragraph of my despatch of the 3rd instant, respecting the University Education of Catholics in Spain, I have the honour to transmit a Memorandum containing a summary of the Royal Decree of the 28th August, 1888, which is the Regulation alluded to therein.

I also forward copies, together with a summary of the two Decrees of the 30th August, 1895, and 6th March, 1896, regulating the status of the two quasi-independent Catholic Universities of Sacro Monte de Granada and Oñate.

These summaries have been prepared by Mr. Barclay.

It will be perceived that there are two ecclesiastical Universities entitled to give degrees in Law ("derecho")—the degree usually taken in Spain, as in other continental countries. In France the expression generally used is "faire son Droit."

It will also be perceived from the Decree of 1888 that the necessary intermediate certificates given to students in ecclesiastical establishments require the concurrence of Professors of those institutions. It is therefore clear that Roman Catholics practically enjoy special immunities in respect to the education of their youth.

I have, &c.,

(Signed), H. DRUMMOND-WOLFF.

Inclosure 1 in No. 20.

Memorandum.

The exact position of private colleges with regard to the holding of those preliminary examinations which must be passed by the students in order to qualify them to undergo the final examination in the Government Institute for the degree of Bachelor is defined by the Royal Decree of the 28th August, 1888, as modified by that of the 15th May, 1891.

Preamble of Decree of August 28, 1888.

The Royal Decree of 1859 empowered Government to grant to all Colleges situated outside of the provincial capitals the right to hold these preliminary examinations, if conducted in conjunction with a delegation of official examiners from the Government Institute of the district.

The privilege thus granted to private Colleges has been abused.

Private Colleges, even those situated in the provincial capital, have almost universally applied for, and obtained, not only the right to hold preliminary examinations, but also the right to confer degrees.

Summary of Decree.

Article 1 absolutely prohibits private Colleges from conferring degrees.

Article 2 prohibits them, subject to the exception provided for in the next Article, from holding preliminary examinations.

Article 3 empowers Government to grant this latter privilege to private Colleges of more than twenty students, provided they are situated at a distance of at least 15 kilom. from the provincial capital, and provided also there exists no railway communication therewith.

Article 4 prescribes the composition of the examining body, which is to consist of a delegation of official examiners from the Government Institute of the district, who are to conduct the examinations in conjunction with the Professors of the College.

Article 5 prescribes the mode of appointment of these official examiners. They are to be proposed by the Government Institute and appointed by the Rector of the University of the district.

The Decree of the 15th May, 1891, extends the exception provided for by Article 3 to Colleges situated at a distance of more than 5 kilom. from the provincial capital.

Inclosure 2 in No. 20.

Summary of Decree of August 30, 1895, regulating the Status of the University of Sacro Monte.

Preamble.

Article 12 of the Constitution lays down that every man shall be free to choose and study his profession as he may think best; that all Spaniards shall have the right to found and maintain educational establishments conformably with the laws; and that it belongs to the State to confer professional titles, to establish the conditions under which these are to be acquired, and the manner in which the candidate is to prove his fitness to receive them.

The College of Sacro Monte de Granada has ample funds set apart for the foundation of a Faculty of Law, and deserves that the State should permit it to achieve its purpose. It possesses suitable buildings, and its history since the establishment of the Faculty by Ferdinand VI. contains many illustrious names.

Excessive centralization in education is to be discouraged; it paralyzes individual initiative, and is a burden to the State.

The College of Sacro Monte de Granada is the only ecclesiastical educational establishment in Spain with a lay character. A Doctor's degree is essential to those competing for entrance as Professors into the Institute.

It is therefore in an altogether exceptional position.

The supreme supervision of education belongs to the State, but the present Decree in no way encroaches on this right, for the College of Sacro Monte will be subjected to the Government's plans of education, and the examining body will comprise a delegation of official examiners. The customary fees on matriculation, &c., will accrue to the Treasury, just as is the case in the State Universities.

But while thus recognizing the proper functions of the State, it is possible, nay, it is right, to grant to the College of Sacro Monte the right independently to elect its Professors, and to preserve its character as a corporation.

In view of these considerations, the undersigned Minister submits the subjoined Decree.

(Signed), BOSCH.

Madrid, August 30, 1895.

Decree.

Sole Article.—Re-establishes the Faculty of Law in the Seminary College of San Dionisius, the Areopagite of Sacro Monte de Granada, subject to the following rules:—

1. The study of Law must be pursued in conformity with the Regulations in force in the Universities.

2. The Professors appointed by the Chapter of Sacro Monte not forming part of the "Cuerpo Capitular" must have the same degree as would be required in the case of Professors in the Universities.

3. The ordinary fees must go to the Treasury, as in the case of the Universities, and both the University of Granada and the Ministry of Fomento must be furnished with a list of students.

4. The Rector of the University of Granada and the Minister of Fomento must from time to time be furnished with a list of the Professors of the Faculty.

5. Students at Sacro Monte can change their place of study, and enter the State Universities, and *vice versâ*, and certificates issued by the former (of payment of fees, &c.) are to be valid in the latter, and *vice versâ*.

6. Prescribes the composition of the examining body, which is to consist of a delegation of official examiners from the University of Granada, acting in conjunction with the Sacro Monte Professors.

Every branch of the Faculty must be established within three years, and until every branch is so established, the right to confer degrees withheld.

Inclosure 3 in No. 20.

Summary of Decree regulating the Status of Oñate, March 6, 1896.

The preamble points out that the privilege now to be granted to the College of Oñate is not without precedent. The position of the College is similar to that of Sacro Monte. In the sixteenth century Oñate was a University of renown. The re-establishment of the Faculties of Philosophy and Law is thus a revival rather than a new creation. The College is rich, and has adequate buildings. The Professorate is composed of experienced teachers, possessing the degree of Doctor or of Licentiate. Its plan of studies is similar to that adopted in the State Universities.

Without occasioning any expense to the Treasury, the University of Oñate will assist the State in the task of education, and this is all the more desirable in that it is situated in a region distant from the State Universities.

The undersigned Minister submits the subjoined Decree.

(Signed), LINARES RIVAS.

Decree.

Sole Article.—Formally re-establishes in the ancient University of Oñate the Faculties of Philosophy and Law, subject to certain conditions. These conditions are contained in Rules similar to those laid down for the College of Sacro Monte.

SWEDEN.

No. 21.

Mr. Pakenham to the Marquess of Salisbury.—(*Received August 9.*)

Stockholm, August 6, 1897.

MY LORD,

With reference to your Lordship's Circular despatch of the 16th February last, on the subject of Roman Catholic University Education in Sweden, I have the honour to transmit herewith copy of my note to Count Douglas of the 5th March, and of his Excellency's reply of the 30th July.

In Count Douglas' note was forwarded a Memorandum by the Rectors of the Universities of Upsala and Lund giving the information required by your Lordship, together with Article 28 of the Constitution of the 6th June, 1809, which deals with the holding of public offices by members of other than the Lutheran religion, I have the honour herewith to inclose translations of these documents.

I have, &c.,

(Signed), F. PAKENHAM.

Inclosure 1 in No. 21.

Mr. Pakenham to Count Douglas.

Stockholm, March 5, 1897.

M. le Ministre,

Her Majesty's Government are desirous of obtaining, for the information of the House of Commons, a report on the provision made for the University Education of Roman Catholics in Sweden, with special reference to the constitution of the Universities, the amount of their endowments, and the sources from which they have been derived, the number of persons receiving University Education in proportion to the Catholic population, and the relation of the Universities to the Episcopate.

As this subject is one on which I am requested to obtain the most reliable data, for the information of the House of Commons, I venture to solicit your Excellency's kind assistance in order to enable me to furnish

DOCUMENTS, VIII.

some account of the provisions above referred to in regard to the University Education of Roman Catholics in this country.

I avail, &c.,

(Signed), F. PAKENHAM.

Inclosure 2 in No. 21.

Count Douglas to Mr. Pakenham.

Stockholm, le 30 Juillet, 1897.

M. le Ministre,

Par votre lettre en date du 5 Mars dernier, vous avez bien voulu vous adresser à mon intermédiaire afin d'obtenir, pour le compte de la Chambre des Communes, certaines données sur l'éducation Universitaire en Suède des personnes appartenant à l'Eglise Catholique Romaine.

M'étant adressé à cet effet au Ministère des Affaires Ecclésiastiques, j'ai aujourd'hui l'honneur de vous faire parvenir ci-joint un Mémoire accompagné du texte de l'Article 28 de la Constitution du 6 Juin, 1809, et renfermant les informations requises, telles qu'elles ont été fournies par les recteurs des Universités d'Upsala et de Lund, et par M. le Chancelier des dites Universités.

Veuillez, &c.,

(Signé), DOUGLAS.

(Translation.)

Stockholm, July 30, 1897.

SIR,

By your note of the 5th March last, you were good enough to ask my help in obtaining, for the information of the House of Commons, particulars as to the University Education of Roman Catholics in Sweden.

Having referred the matter to the Minister for ecclesiastical affairs, I have the honour to transmit to you to-day the inclosed Memorandum, together with the text of Article 28 of the Constitution of the 6th June, 1809, which contains the information desired, as supplied to me by the Rectors of the Universities of Upsala and Lund, and by the Chancellor of the above-mentioned Universities.

I have, &c.,

(Signed), DOUGLAS.

Inclosure 3 in No. 21.

Memorandum respecting Roman Catholic University Education in Sweden.

(Translation.)

According to the statement of the Rector of Upsala, there are no special University statutes regarding Roman Catholics, who like Jews, Baptists, Methodists, and others, enjoy the same rights as those belonging to the State Church as regards instruction in all the University courses and examinations.

The above may also be examined for the Theological Faculty, at least nothing prevents them by law, but it is evident that students of another religion would not devote themselves to such studies.

At the Upsala University there are no donations for Roman Catholic students, and excepting a few foreigners it cannot be positively stated how many Swedes, who were Roman Catholics, have followed the course of studies, for their religion on entrance is not noted.

According to inquiries made, however, for the past few years no student would seem to have been a Roman Catholic.

Lastly, as regards the position of the University to the State Church, the Rector finds that there is nothing to remark, except that the Archbishop is the ex-officio Vice-Chancellor of the University of Upsala, as is likewise the Bishop of Lund at that University, and that teachers in Theology must belong to the State Church.

The Rector of the Lund University has stated that no special provision is made for the education of Roman Catholic students, there are no donations for them, and that, as far as he is aware, no Roman Catholic has been at the University for many years.

Inclosure 4 in No. 21.

Article 28 of the Constitution of June 6, 1809.

(Translation.)

In the Council of State the King has the power to appoint and promote persons of Swedish birth to all offices and employment within the kingdom, superior or inferior, which are of such a character that the King appoints to them under a Royal Commission; but the proper authorities must submit a list of names to the King according to the custom hitherto observed. The King has the right, after consulting the authorities, to summon and promote foreigners of special merit, who are of the Lutheran faith, to the position of Professor in the Universities (except to Chairs of Theology); also to appoint them as teachers or as other functionaries in establishments for the encouragement of science, technical industry, and fine art, or in the capacity of physicians.

Similarly the King may make use of foreigners of special ability in military positions, but not as commanders of fortresses. The King must in all appointments have regard only to the merit and ability of the applicant and not to his birth. Only such persons may be appointed to exercise the function of priest, or to a position to which belongs the duty of giving instruction in Christian or theological science, as profess the Lutheran faith.

To all other offices (with the exception relative to Members of the Council of State laid down in Section 4) may be appointed persons of any other Christian denomination or professing the Jewish faith; but no person not professing the Lutheran faith may, in his capacity of Judge or as occupier of any other office, take part in negotiations or decisions relating to questions affecting the case of religion, religious education, or promotions in the Swedish Church. Every head of a department shall discuss and dispatch all business connected with promotions, nominations, leave of absence, or resignation with regard to persons belonging to the establishment and staff of the department.

SWITZERLAND.

No. 22.

Mr. F. R. St. John to the Marquess of Salisbury.—(*Received June* 10.)

Berne, June 8, 1897.

MY LORD,

Referring to your Lordship's Circular despatch of the 16th February last, I have the honour to forward herewith copies of the replies, only now furnished me by the Federal Government, to the inquiries instituted by it, at my suggestion, on the 27th February last, in regard to the provision made in Switzerland for the education of Roman Catholics.

I have, &c.,

(Signed), F. R. ST. JOHN.

Inclosure in No. 22.

Department of Education of the Canton of Bâle Town.

(Translation.)

To the Federal Department of the Interior:

SIR, *Bâle, May* 6, 1897.

. . . . There are no special institutions or arrangements for Catholics at our University. They can study here like persons of any other religion, and the beneficiary endowments are open to them.

If this information is not sufficient, I request that you will supply me with a paper of questions.

I have, &c.,

(Signed), ZUTT.

Department of Education of the Canton of Zurich.

SIR, *Zurich, April* 2, 1897.

In your letter of the 10th March, 1897, you asked us, on behalf of the British Legation, for information in regard to the system adopted in Switzerland for the University Education of Roman Catholics, especially in connection with the arrangements at the Universities, their endowments, and the sources from which the latter are obtained, and as to the proportion of the students of the Catholic religion to the total of the Catholic population, &c.

We did not fail to refer the questions put to the authorities of our University, and we are able to-day to transmit their reply to you in original.

We have, &c.,

(Signed), GROB, *Director of Education.*
DR. A. HUBER, *Secretary.*

To the Department of Education of the Canton of Zurich:

University of Zurich, March 16, 1897.

SIR,

In reply to the letter of the Federal Department of the Interior, communicated to me on the 12th instant, I have the honour to state as follows:—

Persons coming to this University to study are not asked at their admission to what religion they belong, and we are, therefore, not in a position to state accurately how many Roman Catholics are now studying here. So far as we are able to judge from the localities from which the students come, there are probably from forty to fifty Swiss Catholics among the students on our list.

As regards the foreign students, it is impossible for us to give even approximate figures.

I have, &c.,

(Signed),

DR. MEYER VON KNONAN, *Rector.*

Department of Education of the Canton of Berne.

To the Federal Department of the Interior, Berne:

Berne, March 16, 1897.

With reference to your inquiry in regard to the University Education of Roman Catholics, we have the honour to inform you that the University of Berne does not take cognizance of differences of religion, and that the tuition for all students is entirely independent of any religion.

(Signed), DR. GOBAT,
Director of Education.

Canton de Vaud.

To the Federal Department of the Interior:

Department of Public Instruction and Religion, Lausanne, March 18, 1897.

SIR,

We have the honour to transmit to you the following information furnished by our University, in reply to your letter of the 11th instant relating to the University Education of Roman Catholics in Switzerland:—

"In our University Roman Catholics are put on the same footing as Protestants, or persons professing other creeds.

"No special endowments exist in their favour.

"As far as we can ascertain, the number of Roman Catholic immatriculated students is, during the present term, thirty-three, natives of various cantons.

"We have no direct relations with the Episcopate."

I have, &c.,

(Signed), RUCHET, *Head of Department.*

The Council of State of the Canton of Fribourg.

To the Federal Department of the Interior:

SIR, *Fribourg, May* 28, 1897.

By letters of the 11th March and 5th May your Department was so good as to inform us that the Federal Council has been requested by the British Legation, acting under instructions from its Government, to furnish information on the subject of the University Education of Roman Catholics in Switzerland, the organization of the Universities as far as Roman Catholics are concerned, the amount of endowments set apart for them, the sources from which such endowments are drawn, the number of Roman Catholics who receive a University Education as compared with the number of the Roman Catholic population, and the relations of the University with the Episcopate.

Your Department, which has been intrusted with the task of preparing an answer to these queries, has requested us to furnish the necessary information as far as our University is concerned.

We experience some embarrassment in indicating the particulars you desire.

The great majority of the students of our University belong to the Roman Catholic religion, but there are also students of other creeds (Orthodox Greek, Evangelical, Jewish religions, &c.). We are aware of this as a general fact, without being in a position to give you exact figures, owing to the fact that the students have never been grouped from the point of view of their religion.

We have a Faculty of Roman Catholic Theology, towards which the Swiss Episcopate stands in relations naturally resulting from the Canon Law.

We have, &c.,

(Signed), CHS. WECK, *President.*
N. NUOFFER, *Chancelier.*

Canton of Geneva.

The Councillor of State charged with the Department of Public Instruction.

To the Federal Department of the Interior, Berne:

SIR, *Geneva, March* 12, 1897.

I have the honour to acknowledge the receipt of your letter of the 11th instant relating to a request made by the British Legation for information as to the University Education of Roman Catholics in Switzerland.

The Roman Catholic students at Geneva are on an absolutely equal footing with their fellow students of other creeds.

We are absolutely unable to indicate the number of Roman Catholics who receive a University Education as compared with the number of the Roman Catholic population.

As far as we are aware, there is no special endowment for Roman Catholic students.

I have, &c.,

(Signed), EUGÈNE RICHARD.

No. 23.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received February 3.)

Berne, February 1, 1900.

MY LORD,

With reference to my despatch of the 8th June, 1897, I have the honour to report that, with a view to furnishing your Lordship with further particulars respecting the Fribourg University question, which led in 1897 to the resignation of ten German Professors, I determined to consult a personal friend, whose opinion, owing to his character of justice, and the fact that he is a very devout Roman Catholic, seemed to me especially valuable.

I beg now to inclose in a succinct form the result of a long conversation with him, from which it appears, particularly if the leniency with which he would natu-

rally view the action of his co-religionists at Fribourg, with whom he is in close touch, be borne in mind, that the seceding German Professors had a well-founded grievance, in that the Cantonal Government failed to carry out the conditions of engagement.

In order to forestall efforts to start a University on the same lines in the rival Roman Catholic Canton of Lucerne, the Fribourg authorities dispatched an Agent in all haste to Germany, there to engage the required number of University Professors so as to attract from that country as many students as possible, and so insure the success of their own University. But this Agent, it seems, either with or without authority, held out promises which, as shown in the inclosed Memorandum, were never fulfilled, and a conflict arose in consequence which resulted in the resignation of ten Professors, who drew up a protest against the treatment to which they had been subjected.

I beg to inclose an extract from a Report on the University of Fribourg for the last half-year, showing that there was no falling-off in the number of students consequent upon the step taken by the German Professors, but rather an increase. But it is the results of the current year, I am told, that will really test the support of Germany to the University, the Roman Catholics being there equally divided between the old and modern school, and the latter hoping by their newly-acquired influence in the Reichsrath to obtain such academic privileges in their own country as will enable their sons to dispense from resorting to Fribourg for theological training.

I have, &c.,

(Signed), F. R. ST. JOHN.

Inclosure 1 in No. 23.

Memorandum.

The University of Fribourg is a Cantonal State University recognized by the Federal Government as such, and of a purely secular and undenominational character.

It was founded by M. Python, the leader of the Fribourg Government, aided by Decurtius, a well-known Deputy from the Gusons, the necessary funds of installation, and the means of which the University at present disposes, being drawn from the Cantonal State revenues.

The Professors of the University are appointed and their salaries fixed by the Conseil d'Etat, which gives them the character of Government officials, though not necessarily Swiss citizens.

The University has no denominational basis, and is not, therefore, a purely Roman Catholic Institution, nor are the Professors necessarily Roman Catholics, except as regards the Theological Faculty, which with the sanction of the Pope was organized solely for instruction based on the tenets of the Roman Catholic religion.

The sanction of the Pope in the matter, and his recognition of the University of Fribourg, were embodied in a Treaty with the Cantonal Government, signed by the respective parties in 1889, and modified in 1895, whereby the Holy See has full control over the Theological Faculty, all the Professors of this Faculty being appointed by the Dominican General, to whom the actual direction is delegated, the Government of Fribourg guaranteeing to each of them a yearly salary of 2,000 fr.

The Congregatio Studiorum represents the Papal authority, the annual Reports of the Faculty being submitted, and all serious questions referred, to that body.

Though the Dominican General has the right to appoint all the Professors of the Theological Faculty, a concession to the secular clergy was made by the admission of three secular priests, two being Swiss and one a subject of Luxembourg.

The Treaty further stipulated that besides Theology the Faculty should include philosophical lectures based on the doctrine of St. Thomas, this being a deviation from the general practice of Theological Faculties, with a view to insuring to young theologians such a philosophical course as would satisfy the strictest Roman Catholics.

The latter provision was subsequently modified by a separate Convention, whereby two Dominican friars were admitted to the Philosophical Faculty, on the condition that the Theological Faculty should renounce the right to hold philosophical lectures.

Though the University of Fribourg, apart from the existence of a Faculty purely for Roman Catholic Theology, is precisely on the same footing as other Swiss Universities, the Theological Faculty alone being of a denominational character, it was founded with a view to enabling Swiss Roman Catholics to take academical degrees in their own country, without the necessity of residence at purely Protestant Universities, as well as in the hope of attracting German Roman Catholic students who might wish to avail themselves of the special advantages offered by the Theological Faculty as there organized.

As regards the Faculties of Law and Philosophy, German Professors were chiefly engaged under definite promises which, for the most part, it was found, owing to the organization of the University, life appointments, and individual exclusive rights to lecture on a particular subject, impossible to perform, whereby considerable dissatisfaction was occasioned.

The Faculty of Natural Science was added later, and, profiting by experience, the organizers avoided previous blunders, with the result that the German Professors of this branch have had no cause of complaint.

The discontented German faction, however, soon showed signs of disaffection, the matter being brought to a head by the raising of the question of the right of the Theological Faculty to teach Hebrew, in spite of the promise made to a German philologist that he should have the exclusive right to lecture on Semitic languages in the University of Fribourg.

The point was finally decided by the Government in favour of the Dominican friar, whose right to teach Hebrew had been called in question, which resulted in serious antagonism between some of the German Professors and the Dominicans.

The University then became split up into two camps: on one side, the disaffected Germans, equally bitter against Python and the Dominicans, and, on the other side, the loyal Germans and Dominicans, with whom Python became identified.

In 1897 nine or ten of the disaffected Germans resigned their appointments, and the conflict, which had hitherto been purely local, was taken up by the German press, and an endeavour made to boycott the University. The fact that the majority of the German Professors remained staunch was explained away by representing them as traitors to their country.

This was the state of affairs which gave rise to an erroneous statement in the "Cologne Gazette" respecting action taken by the University of Leipzig with reference to degrees conferred by the University of Fribourg.

Degrees conferred by and terms kept at Foreign Universities can only be recognized in the German State to which the student belongs by the Government of such State, German Universities having no power in the matter; the exchange or withdrawal of publications, mutually, is the only manner by which cordial relations or the reverse can be expressed.

No formal recognition is ever given by German Governments to foreign Universities, which precludes the idea of formal non-recognition, and every case of a degree conferred by, or term kept at, a foreign University is considered separately and on its own merits by the students' native State Department of Education.

The University of Fribourg enjoys the same position *vis-à-vis* German Governments as other foreign Universities.

The prosperity of the University, in so far as it is affected by the residence or non-residence of German Roman Catholic students, will, however, depend on the ultimate attitude of the mass of German Roman Catholics.

Generally speaking, the modern Catholic school which aspires to educational influence in Germany is opposed to, while the older Catholic school favours the University of Fribourg. The future of Fribourg as an international academical institution depends mainly on which Catholic party's views in Germany gain the day.

If abandoned by German Catholics, Fribourg will become a mere Swiss Academic Institution.

Inclosure 2 in No. 23.

TABLEAU comparatif de la fréquentation des Facultés pendant les Semestres d'Été 1899 et d'Hiver 1899-1900.

Étudiants Immatriculés.	Semestre d'Été 1899.	Semestre d'Hiver 1899-1900.				
	Inscrits.	Départs.	Anciens.	Nouveaux.	Total.	Augmentation ou Diminution.
Théologie, ...	125	50	75	44	119	− 6
Droit, ...	71	23	48	24	72	+ 1
Philosophie, ...	48	19	29	27	56	+ 8
Sciences, ...	63	23	40	30	70	+ 7
Total, ...	307	115	192	125	317	+ 10
Auditeurs.						
Théologie, ...	17	13	4	19	23	+ 6
Droit, ...	2	2	—	2	2	=
Philosophie, ...	26 (5)	24 (3)	2 (2)	29 (16)	31 (18)	+ 5
Sciences, ...	1	1	—	—	—	− 1
Total, ...	46 (5)	40 (3)	6 (2)	50 (16)	56 (18)	+ 10

No. 24.

Mr. F. R. St. John to the Marquess of Salisbury.—(*Received February* 5.)

Berne, February 3, 1900.

MY LORD,

I beg to supplement my despatch of the 1st instant on the Fribourg University question with the inclosed tabular Return, since sent me, of the number of students matriculated during the last four half-years. It shows that in the last three terms the Theological Faculty lost no fewer than thirty-two students, a fact attributed by my informant to the action of the Bishops in prohibiting University attendance in the theological students, and restricting them to their seminaries.

I have, &c.,

(Signed), F. R. ST. JOHN.

Inclosure in No. 24.

RETURN of Students at Fribourg University (Switzerland).

	Matriculated.	Listeners.*
Summer, 1898, ...	338	46 (of which 9 ladies).
Winter, 1898-1899, ...	322	79 (,, 25 ,,).
Summer, 1899, ...	307	46 (,, 5 ,,).
Winter, 1899-1900, ...	317	56 (,, 18 ,,).

* Non-matriculated.

"Exodus germanicus" at the end of the winter of 1897-98.

P.S.—In order to rightly estimate the above figures, showing a falling off in the attendance, it should be mentioned that the reduced attendance is almost entirely in the Theological Faculty, as will be seen by the following Table:—

(*a.*) Summer of 1898, . 338 matriculated.
Winter of 1898-1899, 322 ,,
Decrease, . . 16 (of which 13 were in the Theological Section).

(*b.*) Winter of 1898-1899, 322 matriculated.
Summer of 1899, . 307 ,,
Decrease, . . 15 (of which 13 were again in the Theological Section).

(*c.*) Summer of 1899, . 307 matriculated.
Winter of 1899-1900, 317 ,,
Increase, . . 10 (owing to an increase in the other Faculties), the Theological Faculty again showed a further decrease of 6 students.

The Theological Faculty lost, therefore, in three terms, thirty-two students. The cause is not owing to the "Exodus," but to the fact that the Bishops confine the theological students in their seminaries, and no longer so readily grant them permission to attend the Universities. Whether this is to the advantage of clerical candidates is a question.

DOCUMENTS. VIII.

UNITED STATES.

No. 25.

Sir J. Pauncefote to the Marquess of Salisbury.—(*Received February* 11.)

Washington, January 31, 1898.

MY LORD,

I have the honour to transmit to your Lordship herewith a Report on the provision made for the University Education of Roman Catholics in the United States, which has been prepared for the information of the House of Commons by Mr. Adam, Secretary of Her Majesty's Embassy, in compliance with the instructions contained in your Lordship's Circular of the 16th February last.

I have, &c.,

(Signed), JULIAN PAUNCEFOTE.

Inclosure 1 in No. 25.

Report on the Provision made for the University Education of Roman Catholics in the United States.

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The demand for higher, or University Education, among the members of the Church of Rome in the United States has been met by the foundation at various times of numerous Universities and Colleges in all parts of the Republic.

These institutions, the great majority of which are conducted by religious orders and congregations of the regular clergy, have been incorporated under the laws of the States and Federal district or territories in which they were respectively established, so as to secure the recognition of the degrees conferred by them upon their students. Some of them have also had University privileges granted to them by the Holy See.

The system of higher education, and the distribution of the subjects of study in Universities and Colleges throughout the greater part of the United States, and especially in those controlled by the Roman Catholic Church, have been generally copied from Continental, rather than from English models.

The United States' Commissioner of Education in a "Statistical Review of Higher Education in this Country for the year 1895-1896," extracted from his General Report for that year, makes the following observations on the constitution of the Colleges and Universities of the Union.

"It is a well-known fact that a large number of the institutions for higher education, especially in comparatively recently settled sections of the country, maintain preparatory departments for the secondary, and, in some cases, for the primary education of pupils, as well as normal, business, music, art, and other departments of instruction. The number of students in attendance at such departments is, of course, included in the column giving the total number of students in attendance at the institution as a whole. In the summarized and detailed Tables, great care has been taken to tabulate separately the number of students in the several departments, so that it is an easy matter to ascertain the number of students that may properly be included under the head of higher education."

From the above-mentioned publication it appears that, out of 484 Universities and Colleges existing in the United States in 1895-96, sixty-one, or 12·6 per cent. were Roman Catholic institutions.

The total number of male Professors and instructors employed in the Collegiate departments of the above institutions of higher education was 6,285, of whom 591 taught in Roman Catholic Universities or Colleges, while the total number of young men passing through a Collegiate course in the United States (*i.e.*, undergraduates) was 52,794, of whom 5,052 were studying in Roman Catholic establishments (*i.e.*, over 9·56 per cent. of the total number of undergraduates throughout the country).

The number of graduate students throughout the United States is given at 3,762, of whom 166 were Roman Catholics.

In the professional departments of Universities and Colleges, the total number of male Professors during 1895-96, was 3,286, of whom 218 belonged to Roman Catholic institutions. (The professional departments include Theology, Law, and Medicine).

The total number of male professional students in Universities and Colleges during the same period was 24,522; of these 1,110 represented the Roman Catholic institutions.

Through the courtesy of Mr. William T. Harris, the United States' Commissioner of Education, I have been enabled to obtain a list of the Roman Catholic Univer-

sities and Colleges in this country, together with information respecting them, extracted from the general statistics for 1896-97 collected by his Department.

This Tabular Statement, herewith inclosed, furnishes the most complete particulars available with regard to the importance of the several institutions, the value of their libraries and scientific apparatus, as well as of their buildings and grounds, together with a statement of their incomes and the sources from which they are derived.

Roman Catholic institutions, like those of other denominations, are debarred from public endowments, either from the Federal or State Governments or from the Municipal authorities of the towns where they are situated; and most of them, except those most recently founded, appear to have spent any donations or bequests made to them in the purchase of their grounds or the construction of their buildings, so that the bulk of their revenue seems to be derived from tuition fees.

The official number of Universities and Colleges credited to the Church of Rome for the year 1896-97 is only fifty-nine, out of a total of 473 in the United States; but the "Catholic Directory" shows that the institutions which have been dropped from the official list, after failing to supply statistics during two consecutive years, are still in existence, and I have therefore kept their names on the list. They are respectively St. Francis' College, at Loretto, New Jersey; St. James' College, at Vancouver, Washington; and St. Mary's College, at Oakland, California, and are distinguished in the list by not having any reference number.

The Education Department has divided the United States into five sections or groups of States, for purposes of classification.

The First, or North Atlantic Division, comprises Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania (nine States). In this section there are altogether seventeen Roman Catholic institutions for higher education; two in Massachusetts, eight in New York, two in New Jersey, and five in Pennsylvania.

The Second, or South Atlantic Division, includes Delaware, Maryland, the district of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida (eight States and the Federal district), and contains nine Roman Catholic institutions, viz., four in Maryland, three in the district of Columbia, one in North Carolina, and one in Florida.

The Third, or Southern Central Division, consists of Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Texas, Arkansas, Oklahoma, and the Indian Territory. (Seven States and two Territories). The higher educational institutions for Roman Catholics in this division, nine in number, are situated one in Kentucky, one in Tennessee, two in Alabama, two in Louisiana, and three in Texas.

The Fourth, or Northern Central, Division, includes Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, and Kansas. (Twelve States).

In this Division there are twenty Roman Catholic Universities and Colleges, of which—three in Ohio, two in Indiana, five in Illinois, one in Michigan, two in Wisconsin, one in Minnesota, three in Missouri, one in Nebraska, and two in Kansas.

The Fifth, or Western Division, consists of Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Idaho, Washington, Oregon, and California (nine States and two Territories).

It contains seven Roman Catholic Colleges (viz.: one in Colorado, two in Washington, and four in California).

The number of Professors and Students (not counting those in the three Colleges excluded from the official statistics) are:

In the Collegiate Department:—

	Professors.	Students.
1st Division, ...	194	1,696
2nd ,, ...	111	541
3rd ,, ...	93	774
4th ,, ...	238	2,250
5th ,, ...	75	693
Total, ...	711	5,954

The total number of Graduate Students in Catholic Colleges was 226, viz.:—

In the 1st Division, ...	105
,, 2nd ,, ...	51
,, 3rd ,, ...	21
,, 4th ,, ...	49
Total, ...	226

(None in the 5th Division.)

In the Professional Department there were,—

	Professors.	Students.
In Division 1, ...	51	258
,, 2, ...	92	482
,, 3, ...	3	22
,, 4, ...	69	289
,, 5, ...	—	—
Total, ...	215	1,051

The total Roman Catholic population of the United States is estimated by the "Catholic Directory" for 1897 at 9,596,427 souls (or, in round numbers, 9,600,000).

Consequently, the proportion of Undergraduate Students receiving an ordinary Collegiate or University Education in Catholic Institutions was in the ratio of 1 to 1611·76 to the Catholic population of the Union.

With regard to the question of the relation of Universities and Colleges to the Episcopate, that depends upon the class of persons in charge of each particular institution.

Where the University or College authorities are members of the secular Clergy of the Church of Rome, they are naturally subject to the jurisdiction of the Bishop of the diocese to which they belong. But this is not the case when the institution is under the management and control of members of an Order or Congregation of Regular Clergy, directly responsible to the Holy See.

Of the sixty-two Roman Catholic Universities and Colleges in the United States mentioned in the Table, only six are in the hands of the secular Clergy.

These are—

1. Seton Hall College, at South Orange, New Jersey, in the Diocese of Newark, New Jersey;
2. St. Charles' College, at Ellicott City, Maryland, in the Archdiocese of Baltimore;
3. Mount St. Mary's College, at Emmittsburg, Maryland, in the Archdiocese of Baltimore;
4. The Catholic University of America, at Washington, District of Columbia, in the Archdiocese of Baltimore;
5. Provincial Seminary of St. Francis de Sales (Salesianum), at Milwaukee, Wisconsin, in the Archdiocese of Milwaukee; and
6. St. James' College, at Vancouver, Washington, in the Diocese of Nesqually.

Of the institutions controlled by Religious Orders, twenty-three belong to the Jesuits. These are:—

In the North Atlantic Division:—

1. Boston College, at Boston; and
2. The College of the Holy Cross, at Worcester, in the State of Massachusetts;
3. Canisius College, at Buffalo;
4. The College of St. Francis Xavier; and
5. St. John's College (both in New York City), in the State of New York.

In the South Atlantic Division:—

6. Loyola College, at Baltimore, in the State of Maryland;
7. Georgetown University, at Georgetown and Washington; and
8. Gonzaga College, at Washington, in the District of Columbia.

In the Southern Central Division:—

9. St. Joseph's College, at Spring Hill, in the State of Alabama;
10. The College of the Immaculate Conception, at New Orleans, in the State of Louisiana;
11. St. Mary's University, at Galveston, in the State of Texas.

In the Northern Central Division:—

12. St. Xavier's College, at Cincinnati; and
13. St. Ignatius' College, at Cleveland, in the State of Ohio;
14. St. Ignatius' College, at Chicago, in the State of Illinois;
15. Detroit College, at Detroit, in the State of Michigan;
16. Marquette College, at Milwaukee, in the State of Wisconsin;
17. St. Louis University, at St. Louis, in the State of Missouri;
18. Creighton University, at Omaha, in the State of Nebraska; and
19. St. Mary's College, at St. Mary's, in the State of Kansas.

In the Western Division:—

20. The College of the Sacred Heart, at Denver, in the State of Colorado;
21. Gonzaga College, at Spokane, in the State of Washington;
22. St. Ignatius' College, at San Francisco; and
23. Santa Clara College, at Santa Clara, in the State of California.

Next to the Jesuits come the Benedictines, with nine Institutions, viz.:—

1. St. Benedict's College, at Newark, New Jersey; and
2. St. Vincent's College, at Beatty, Pennsylvania, in the North Atlantic Division:
3. St. Mary's College, at Belmont, North Carolina; and
4. St. Leo Military College, at St. Leo, Florida, in the South Atlantic Division;
5. St. Bernard College, at Cullman, in Alabama, in the Southern Central Division; and
6. St. Meinrad's College, at St. Meinrad, in Indiana;
7. St. Bede's College, at Peru, Illinois;
8. St. John's University, at Collegeville, Minnesota; and
9. St. Benedict's College, at Atchison, Kansas, in the Northern Central Division.

The Brothers of the Christian Schools own six institutions:—

1. Manhattan College, in New York City; and
2. La Salle College, in Philadelphia, in the North Atlantic Division;
3. Rock Hill College, Ellicott City, Maryland, in the South Atlantic Division;
4. The College of the Christian Brothers, at Memphis, Tennessee, in the Southern Central Division;
5. The Christian Brothers' College, at St. Louis, Missouri, in the Northern Central Division; and
6. St. Mary's College, at Oakland, California, in the Western Division.

The Order of St. Francis has five institutions:—

1. St. Bonaventure's College, at Allegany; and
2. St. Francis' College, Brooklyn, both in New York State; and
3. St. Francis' College, Loretto, Pennsylvania, in the North Atlantic Division.
4. St. Francis Solanus College, at Quincy; and
5. St. Joseph's College, at Teutopolis, both in Illinois, in the Northern Central Division.

The Congregation of the Mission have four institutions:—

1. St. John's College, at Brooklyn, New York; and
2. Niagara University, near Suspension Bridge, New York, in the North Atlantic Division;
3. St. Vincent's College, at Cape Girardeau, Missouri, in the Northern Central Division.
4. St. Vincent's College, at Los Angeles, California, in the Western Division.

The Congregation of the Holy Cross have three establishments—

1. St. Edward's College, at Austin, Texas, in the Southern Central Division;
2. St. Joseph's College, at Cincinnati, Ohio; and
3. The University of Notre Dame, at Notre Dame, Indiana, in the Northern Central Division.

The following religious Orders possess one College each:—

The Fathers of the Holy Ghost: Holy Ghost College, Pittsburg, Pennsylvania;

The Augustinian Order: the College of St. Thomas of Villanova, Villanova, Pennsylvania;

The Congregation of the Resurrection: St. Mary's College, St. Mary, Kentucky;

The Fathers of the Society of Mary: Jefferson College, St. Michael's P.O., Louisiana;

The Brothers of Mary: St. Louis College, San Antonio, Texas; and

The Clerics of St. Viateur: St. Viateur's College, Bourbonnais, Illinois.

One reason for the more rapid development of Universities and Colleges maintained by religious Orders is, I learn on good authority, the fact of their greater cheapness, as, in their case, competent Professors and teachers can be secured free of expense from among the members of the Order.

The "Catholic Directory" for 1897 mentions nine Catholic Universities as existing in the United States, but the title is a misleading one, as a reference to the statistical Table will show that in many cases "Colleges" have a larger number of students, and a greater proportion of collegiate students (*i.e.*, undergraduates working for a Degree) than so-called "Universities."

One of the Universities mentioned by the "Catholic Directory," the Theological Seminary of St. Sulpice, and St. Mary's University, at Baltimore, is not referred to in the Table of the United States' Bureau of Education, but was founded during the French Revolution by refugee priests, and numbers 300 students. It has been raised to the rank of a Catholic University by the Holy See. It is controlled by the secular clergy.

The Georgetown University consists at present of the College, which includes a graduate school, a collegiate or undergraduate department, a preparatory department, and an astronomical observatory. These branches are situated at Georgetown, D.C., a suburb of Washington.

Besides the College, there are also a Medical department, opened in 1851, and a Law school, opened in 1870.

These are situated in Washington itself.

In 1896-97 the Medical students numbered eighty-six, and the Law students 274.

As already stated, Georgetown University is under the control of the Society of Jesus. The erection of the first building was undertaken in 1788, but students were first received in 1791. It is the oldest established Roman Catholic institution for higher studies in the United States, and is in a flourishing condition.

The total revenue of the University is stated in the official Table at £24,000, of which £23,782 is derived from tuition fees, and only £227 from the interest on invested capital.

The Catholic University of America, established at Washington by Papal Letters addressed to the Archbishops and Bishops of the Roman Church in the United States on the 7th March, 1889, is intended as a University for the prosecution of advanced studies. Consequently, in all departments, except that of Law, a Bachelor's Degree is a necessary preliminary to admission to the University.

The Catholic University comprises:—

A. A Divinity school, which is divided into four departments: Scriptural, Dogmatic, Moral, and Historical Theology.

B. A school of Philosophy.

This includes:—

1. A department of Philosophy proper.
2. A department of Letters, subdivided into courses on—
   - (*a.*) Comparative Philology and Sanskrit.
   - (*b.*) Latin.
   - (*c.*) Greek Literature.
   - (*d.*) Semitic and Egyptian Literature; and
   - (*e.*) English Language and Literature.
3. A department of Mathematics.
4. A department of Physics.
5. A department of Chemistry; and
6. A department of the Biological Sciences.

C. A school of the Social Sciences, including:—

1. A department of Sociology.
2. A department of Economics.
3. A department of Politics; and
4. A department of Law.

Finally, there is attached to the Catholic University an institute of Technology, intended to prepare young men for careers in Civil, Electrical, and Mechanical Engineering.

The Catholic University has been since its foundation gradually extending its sphere of action, and while its original and chief aim is to afford opportunity for the higher theological training of Roman Catholic ecclesiastics, it also proposes to afford to members of the Roman Church advanced instruction in Philosophy (including Literature and Science), and all the different branches of professional education.

The University of Notre Dame, in Indiana, directed by the Congregation of the Holy Cross, is connected with the Provincial House of that body for the United States, and apparently combines a preparatory school and collegiate course, with courses in Law and Technology.

The Creighton University, at Omaha, Nebraska, directed by the Jesuit Order, consists of the Creighton College, a free classical day College, of the John A. Creighton Medical College, established in 1892, the Creighton Memorial, St. Joseph's Hospital, and a recently opened preparatory seminary.

St. Mary's University, at Galveston, appears to be an ordinary Jesuit College.

Niagara University, at Suspension Bridge, near Buffalo, is conducted by priests of the Congregation of the Mission; includes a department of Arts, a preparatory school, a Theological seminary, and a Medical department.

St. Louis University, at St. Louis, Missouri, comprises a philosophical department for scholastics of the Missouri Province of the Society of Jesus, a post-graduate department, and an undergraduate department.

St. John's University, at Collegeville, in Minnesota, is connected with St. John's Abbey of the Order of St. Benedict.

In conclusion, I have to express my most sincere thanks to Mr. William T. Harris, United States' Commissioner of Education, as well as to the authorities of the Catholic University of America and the University of Georgetown for their kind assistance in collecting the statistics comprised in the present Report.

(Signed), C. F. FREDERICK ADAM.

Washington, January 31, 1898.

INCLOSURE 2 IN No. 25.

Official Statistics relative to Roman Catholic Universities and Colleges in the United States during the Scholastic Year 1896-97.

SECTION 1.—NORTH ATLANTIC DIVISION.

Reference No.	State and Locality.	Name of Institution.	Date of Foundation.	Professors and Teachers.				Students.					Number of Fellowships.	Number of Scholarships.	Library.	
				In Preparatory Department.	In Collegiate Department proper.	In Professional Departments.	Total Number excluding Duplicates.	In Preparatory Department.	In Collegiate Department proper.	In Graduate Department.	In Professional Departments.	Total Number excluding Duplicates.			Number of Bound Volumes.	Number of Pamphlets.
	Massachusetts.															
188	Boston,	1. Boston College,	1863	13	16	—	17	271	151	—	—	422	—	53	30,000	—
195	Worcester,	2. College of the Holy Cross,	1843	12	14	—	26	142	219	—	—	361	—	5	18,000	7,000
				25	30	—	43	413	370	—	—	783				
	New York.															
267	Allegany,	1. St. Bonaventure's College,	1859	14	14	4	18	89	36	—	49	174	—	2	7,347	510
271	Brooklyn,	2. St. Francis' College,	1859	16	7	—	23	229	31	—	—	260	—	4	4,100	1,055
272	Do.,	3. St. John's College,	1870	9	10	—	13	83	114	—	—	197	—	2	7,200	3,000
273	Buffalo,	4. Canisius College,	1870	24	10	—	34	268	40	—	—	595	—	12	20,115	—
279	New York,	5. College of St. Francis Xavier,	1847	16	11	—	27	337	166	95	—	595	—	26	37,400	—
282	Do.,	6. Manhattan College,	1863	11	19	—	30	476	181	—	—	657	—	15	9,110	2,499
284	Do.,	7. St. John's College,	1846	5	23	—	23	139	80	—	—	219	—	1	36,000	—
285	Niagara University,	8. Niagara University,	1856	11	11	35	46	43	101	10	108	262	—	4	7,500	1,000
				106	105	39	214	1,664	749	105	157	2,959				
	New Jersey.															
262	Newark,	1. St. Benedict's College,	1868	1	5	—	6	35	58	—	—	93	—	—	1,000	250
265	South Orange,	2. Seton Hall College,	1856	7	15	—	18	42	60	—	34	136	—	5	10,000	1,000
				8	20	—	24	77	118	—	34	229				
	Pennsylvania.															
355	Beatty,	1. St. Vincent College,	1846	12	10	5	27	122	133	—	42	297	—	—	50,000	—
—	Loretto,	2. St. Francis College,	1850	(No statistics since 1894-95.)									—	—	5,000	Nil.
373	Philadelphia,	3. La Salle College,	1867	6	9	—	15	130	58	—	—	188	—	—	8,000	800
376	Pittsburg,	4. Holy Ghost College,	1878	3	13	2	18	20	178	—	8	206	—	2	2,000	500
381	Villanova,	5. Villanova College,	1842	4	7	5	14	33	90	—	17	140	—	—	7,500	500
				25	39	12	74	305	459	—	67	831				
	Total,	17 Institutions,		164	194	51	355	2,459	1,696	105	258	4,802				

SECTION 1.—NORTH ATLANTIC DIVISION—(*continued*).

Reference No.	State and Locality.	Name of Institution.	PROPERTY. Value of Scientific Apparatus and Library.		Value of Grounds and Buildings.		Amount of Productive Funds.		SOURCES OF INCOME. Income from Tuition Fees.		Income from Productive Funds.		Income from Other Sources.		Benefactions.		Total Income.	
			Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£
	Massachusetts.																	
188	Boston,	Boston College,	5,000	1,000	400,000	80,000	—	—	25,000	5,000	—	—	—	—	—	—	25,000	5,000
195	Worcester,	College of the Holy Cross,	20,000	4,000	267,138	53,427	—	—	19,800	3,960	—	—	1,033	206	—	—	20,833	4,166
	New York.																	
267	Allegany,	St. Bonaventure's College,	5,000	1,000	100,000	20,000	8,000	1,600	19,500	3,900	320	64	—	—	—	—	19,820	3,964
271	Brooklyn,	St. Francis' College,	12,000	2,400	156,000	31,200	—	—	15,354	3,071	—	—	25,612	5,122	—	—	40,966	8,173
272	Do.,	St. John's College,	4,900	980	320,000	64,000	—	—	25,500	5,700	—	—	1,500	300	—	—	27,000	6,000
273	Buffalo,	Canisius College,	6,080	1,216	258,005	51,601	—	—	11,800	2,360	—	—	25,010	5,002	—	—	36,810	7,362
279	New York,	College of St. Francis Xavier,	45,000	9,000	750,000	150,000	—	—	26,458	5,292	—	—	—	—	—	—	26,458	5,292
282	Do.,	Manhattan College,	24,570	4,914	620,714	124,143	—	—	14,842	2,968	—	—	28,140	5,628	—	—	42,982	8,596
284	Do.,	St. John's College,	64,000	12,800	840,000	168,000	—	—	9,000	1,800	—	—	—	—	—	—	9,000	1,800
285	Niagara University,	Niagara University,	16,000	3,200	200,000	40,000	—	—	27,000	5,400	—	—	—	—	—	—	27,000	5,440
	New Jersey.																	
262	Newark,	St. Benedict's College,	—	—	30,000	6,000	—	—	5,580	1,116	—	—	—	—	—	—	5,580	1,116
265	South Orange,	Seton Hall College,	20,000	4,000	500,000	100,000	—	—	8,000	1,600	—	—	42,000	8,400	—	—	50,000	10,000
	Pennsylvania.																	
357	Beatty,	St. Vincent College,	—	—	150,000	30,000	—	—	40,000	8,000	—	—	—	—	—	—	40,000	8,000
—	Loretto,	St. Francis' College,	Nil.	Nil.	60,000	12,000	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
373	Philadelphia,	La Salle College,	6,000	1,200	200,000	40,000	—	—	—	—	—	—	—	—	—	—	—	—
376	Pittsburg,	Holy Ghost College,	5,000	1,000	120,000	24,000	—	—	10,000	2,000	—	—	2,000	400	—	—	12,000	2,400
581	Villanova,	Villanova College,	2,000	400	350,000	70,000	—	—	—	—	—	—	—	—	—	—	—	—
		Total,	..	..	..	..	8,000	1,600										

SECTION 2.—SOUTH ATLANTIC DIVISION.

Reference No.	State and Locality.	Name of Institution.	Date of Foundation.	Professors and Teachers.				Students.					Number of Fellowships.	Number of Scholarships.	Library.	
				In Preparatory Department.	In Collegiate Department proper.	In Professional Department.	Total Number exclusive of Duplicates.	In Preparatory Department.	In Collegiate Department proper.	In Graduate Department.	In Professional Department.	Total Number exclusive of Duplicates.			Number of Bound Volumes.	Number of Pamphlets.
	Maryland.															
179	Baltimore, ...	1. Loyola College, ...	1852	8	6	—	14	119	56	—	—	175	—	12	35,000	—
182	Ellicott City, ...	2. Rock Hill College, ...	1857	8	10	—	18	91	51	—	—	142	—	—	7,200	450
183	Do., ...	3. St. Charles' College, ..	1848	9	15	—	17	86	144	—	—	230	—	—	15,650	—
84	Mount St. Mary, ..	4. Mount St. Mary's College, ..	1808	18	14	5	22	94	76	—	43	202	—	—	15,000	1,000
				43	45	5	71	390	327	—	43	749				
	District of Columbia.															
40	Washington, ...	1. Catholic University of America,	1889	—	16	13	29	—	—	17	67	84	3	12	1,800	—
43	Georgetown, ...	2. Georgetown University, ..	1791	11	28	71	130*	129	122	34	360	634†	—	5	61,000	45,612
44	Washington, ...	3. Gonzaga College, ...	1820	8	9	—	15	105	38	—	—	143	—	—	10,000	3,500
				19	53	84	174	234	160	51	427	861				
	North Carolina.															
289	Belmont, ...	St. Mary's College, ...	1878	5	8	3	14	43	40	—	12	93	—	2	7,800	1,250
				5	8	3	14	43	40	—	12	93				
	Florida.															
49	St. Leo, ...	St. Leo Military College, ..	1890	1	5	—	6	24	14	—	—	38	—	1	2,000	300
				1	5	—	6	24	14	—	—	38				
	Total, ...	9 Institutions, ...	..	68	111	92	265	691	541	51	482	1,741				

* The Faculty and Officers of Georgetown University number 117, in addition to which 13 members of the teaching staff are mentioned in various Departments, whose names do not appear in the list of the Faculty and Officers.
† There are 11 students duplicated.

SECTION 2.—SOUTH ATLANTIC DIVISION—(*continued*).

Reference No.	State and Locality.	Name of Institution.	PROPERTY.						SOURCES OF INCOME.						Benefactions.		Total Income.	
			Value of Scientific Apparatus and Library.		Value of Grounds and Buildings.		Amount of Productive Funds.		Income from Tuition Fees.		Income from Productive Funds.		Income from Other Sources.					
			Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£
	Maryland.																	
179	Baltimore, ..	Loyola College, ..	60,000	12,000	300,000	60,000	—	—	—	—	—	—	—	—	—	—	—	—
182	Ellicott City, ..	Rock Hill College, ..	4,500	900	65,000	13,000	—	—	24,000	4,800	—	—	—	—	—	—	24,000	4,800
183	Do., ...	St. Charles' College, ..	—	—	200,000	40,000	—	—	53,903	10,780	—	—	—	—	—	—	53,903	10,780
184	Mount St. Mary, ..	Mount St. Mary's College,	5,000	1,000	150,000	30,000	—	—	50,000	10,000	—	—	—	—	—	—	50,000	10,000
	District of Columbia.																	
40	Washington, ..	Catholic Univ. of America,	30,000	6,000	1,000,000	200,000	641,020	128,204	1,848	369	41,185	8,237	17,285	3,457	200,000	40,000	60,318	12,063
43	Georgetown, ..	Georgetown University, ..	87,000	17,400	1,152,500	230,500	30,000	6,000	118,912	23,783	1,134	227	—	—	14,843	2,968	120,046	24,000
44	Washington, ..	Gonzaga College, ..	5,000	1,000	75,000	15,000	—	—	2,000	400	—	—	—	—	3,000	600	2,000	400
	North Carolina.																	
280	Belmont, ..	St. Mary's College, ..	12,000	2,400	100,000	20,000	—	—	16,000	3,200	—	—	—	—	—	—	16,000	3,200
	Florida.																	
49	St. Leo, ..	St. Leo Military College,	1,000	200	25,000	5,000	—	—	3,000	600	—	—	2,000	400	1,000	200	5,000	1,000
		Total.	..	..	..	..	671,020	134,204			—	—	—	—	—	—	—	—

Section 3.—South Central Division.

Reference No.	State and Locality.	Name of Institution.	Date of Foundation.	Professors and Teachers.				Students.					Number of Followships.	Number of Scholarships.	Library.	
				In Preparatory Department.	In Collegiate Department proper.	In Professional Departments.	Total Number excluding Duplicates.	In Preparatory Department.	In Collegiate Department proper.	In Graduate Department.	In Professional Departments.	Total Number exclusive of Duplicates.			Number of Bound Volumes.	Number of Pamphlets.
	Kentucky.															
163	St. Mary's, ...	1. St. Mary's College, ..	1820	9	9	—	9	31	29	—	—	60	—	2	4,000	2,000
				9	9	—	9	31	29	—	—	60				
	Tennessee.															
410	Memphis, ...	1. Christian Brothers' College, ..	1871	4	10	—	14	60	80	—	—	140	—	—	2,000	1,500
				4	10	—	14	60	80	—	—	140				
	Alabama.															
2	Cullman, ...	1. St. Bernard College, ..	1892	3	12	3	18	12	88	—	22	122	—	—	2,000	150
8	Spring Hill, ...	2. Spring Hill College, ..	1830	1	21	—	22	8	121	—	—	129	—	—	16,000	2,000
				4	33	3	40	20	209	—	22	251				
	Louisiana.															
166	Convent, ...	1. Jefferson College, ...	1865	1	13	—	14	13	90	—	—	103	—	9	3,080	1,500
169	New Orleans, ...	2. College of the Immaculate Conception.	1847	5	12	—	17	117	195	21	—	333	—	—	15,000	2,000
				6	25	—	31	130	285	21	—	436				
	Texas.															
423	Austin, ...	1. St. Edward's College, ..	1881	18	5	—	23	75	61	—	—	136	—	—	3,000	500
429	Galveston, ...	2 St. Mary's University, ..	1854	1	7	—	8	30	95	—	—	125	—	—	3,000	500
432	San Antonio, ...	3. St. Louis' College, ..	1894	10	4	—	14	80	15	—	—	95	—	—	1,200	—
				29	16	—	45	185	171	—	—	356				
	Total, ...	9 Institutions	..	52	93	3	139	426	774	21	22	1,243				

Section 3.—South Central Division—(*continued*).

Reference No.	State and Locality.	Name of Institution.	Property.						Sources of Income.						Benefactions.		Total Income.	
			Value of Scientific Apparatus and Library.		Value of Grounds and Buildings.		Amount of Productive Funds.		Income from Tuition Fees.		Income from Productive Funds.		Income from Other Sources.					
			Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£
	Kentucky.																	
163	St. Mary's, ..	St. Mary's College, ..	4,000	800	65,000	13,000	—	—	12,000	2,400	—	—	—	—	—	—	12,000	2,400
	Tennessee.																	
410	Memphis, ..	Christian Brothers' College,	—	—	80,000	16,000	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil	Nil.	Nil.
	Alabama.																	
2	Cullman, ..	St. Bernard College, ..	1,000	200	56,00	11,000	—	—	18,000	3,600	—	—	—	—	100	20	18,000	3,600
8	Spring Hill, ..	Spring Hill College, ..	35,000	7,000	400,00	80,000	—	—	40,000	8,000	—	—	—	—	—	—	40,000	8,000
	Louisiana.																	
166	Convent, ..	Jefferson College, ..	8,000	1,600	100,000	20,000	—	—	28,800	5,760	—	—	—	—	—	—	28,800	5,760
169	New Orleans, ..	College of the Immaculate Conception.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil	Nil.	Nil.
	Texas.																	
423	Austin, ..	St. Edward's College, ..	4,000	800	100,000	20,000	—	—	30,000	6,000	—	—	—	—	—	—	30,000	6,000
429	Galveston, ..	St. Mary's University, ..	5,000	1,000	170,000	34,000	—	—	1,810	362	—	—	—	—	—	—	1,810	362
432	San Antonio, ..	St. Louis' College, ..	1,000	200	120,000	24,000	—	—	10,000	2,000	—	—	—	—	—	—	10,000	2,000
		Total, ...	..	..	..	..	Nil.	Nil.										

SECTION 4.—NORTH CENTRAL DIVISION.

Reference No.	State and Locality.	Name of Institution.	Date of Foundations.	PROFESSORS AND TEACHERS.				STUDENTS.					Number of Fellowships.	Number of Scholarships.	LIBRARY.	
				In Preparatory Department.	In Collegiate Department proper.	In Professional Departments.	Total Number exclusive of Duplicates.	In Preparatory Department.	In Collegiate Department proper.	In Graduate Department.	In Professional Departments.	Total Number exclusive of Duplicates.			Number of Bound Volumes.	Number of Pamphlets.
	Ohio.															
314	Cincinnati, ...	1. St. Joseph's College, ..	1872	5	7	—	12	125	75	—	—	200	—	—	10,000	3,000
315	Do., ...	2. St. Xavier's College, ..	1840	12	9	—	21	235	107	49	—	391	—	—	17,300	3,000
317	Cleveland, ...	3. St. Ignatius' College, ..	1886	6	7	—	13	147	38	—	—	185	—	2	7,500	—
				23	23	—	46	507	220	49	—	776				
	Indiana.															
104	Notre Dame, ...	1. University of Notre Dame, ..	1842	8	36	9	53	387	200	—	43	630	—	—	50,000	—
107	St. Meinrad, ...	2. St. Meinrad's College, ..	1857	3	10	7	14	14	55	—	46	115	—	—	13,000	2,000
				11	46	16	67	401	255	—	89	745				
	Illinois.															
66	Bourbonnais, ...	1. St. Viateur's College, ..	1868	6	25	4	35	60	150	—	16	226	—	—	7,000	1,000
70	Chicago, ...	2. St. Ignatius' College, ..	1869	3	15	—	18	22	454	—	—	476	—	—	20,800	—
87	Peru, ...	3. St. Bede College, ...	1891	3	4	2	9	44	13	—	2	59	—	—	2,000	—
89	Quincy, ...	4. St. Francis Solanus College, ..	1860	2	12	—	13	16	184	—	—	200	—	—	4,000	2,000
91	Tentopolis, ...	5. St. Joseph's Diocesan College,	1862	3	9	—	12	17	168	—	—	185	—	—	5,000	—
				17	65	6	87	159	969	—	18	1,146				
	Michigan.															
202	Detroit, ...	1. Detroit College, ...	1877	12	15	—	15	161	81	—	—	242	—	—	9,500	—
				12	15	—	15	161	81	—	—	242				
	Wisconsin.															
468	Milwaukee, ...	1. Marquette College, ..	1881	4	5	—	9	100	77	—	—	177	—	8	9,200	1,050
470	St. Francis, ...	2. Seminary of St. Francis de Sales,	1856	—	9	5	14	—	115	—	100	215	—	—	13,000	1,200
				4	14	5	23	100	192	—	100	392				

	Minnesota.														
207	Collegeville, ...	1. St. John's University, ..	1867	5	24	4	33	30	171	—	30	231	—	—	6,000	1,000
				5	24	4	33	30	171	—	30	231				
	Missouri.														
227	Cape Girardeau, ..	1. St. Vincent's College, ..	1843	4	4	—	4	12	10	—	—	22	—	—	12,000	2,000
239	St. Louis, ...	2. Christian Brothers' College,	1851	8	9	—	17	210	110	—	—	320	—	—	20,000	2,000
240	Do., ...	3. St. Louis University, ..	1829	9	12	—	21	260	67	—	—	327	—	—	30,000	—
				21	25	—	42	482	187	—	—	669				
	Nebraska.														
257	Omaha, ...	1. Creighton University, ..	1878	7	7	37	51	138	60	—	46	244	—	—	7,500	200
				7	7	37	51	138	60	—	46	244				
	Kansas.														
135	Atchison, ...	1. St. Benedict's College, ..	1858	9	11	1	21	91	63	—	6	160	—	1	15,000	2,000
145	St. Mary's, ...	2. St. Mary's College, ..	1869	12	8	—	20	164	52	—	—	216	—	—	7,300	—
				21	19	1	41	255	115	—	6	376				
	Total, ...	20 Institutions, ...	..	121	238	69	407	2,233	2,250	49	289	4,821				

SECTION 4.—NORTH CENTRAL DIVISION—(*continued*).

Reference No.	State and Locality.	Name of Institution.	PROPERTY.						SOURCE OF INCOME.						Benefactions.		Total Income.	
			Value of Scientific Apparatus and Library.		Value of Grounds and Buildings.		Amount of Productive Funds.		Income from Tuition Fees.		Income from Productive Funds.		Income from Other Sources.					
	Ohio.		Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£
314	Cincinnati, ..	St. Joseph's College, ..	—	—	50,000	10,000	—	—	12,000	2,400	—	—	3,600	600	—	—	15,000	3,000
315	Do., ...	St. Xavier's College, ..	7,000	1,400	100,000	20,000	—	—	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
317	Cleveland, ..	St. Ignatius College, ..	20,000	4,000	150,000	30,000	—	—	,,	,	,,	,,	,,	,,	,,	,,	,,	,,
	Indiana.																	
104	Notre Dame, ..	University of Notre Dame	75,000	15,000	2,000,000	400,000	—	—	175,000	35,000	—	—	—	—	—	—	175,000	35,000
107	St. Meinrad, ..	St. Meinrad's College, ..	18,250	3,650	125,000	25,000	—	—	12,000	2,400	—	—	—	—	—	—	12,000	2,400
	Illinois.																	
66	Bourbonnais, ..	St. Viateur's College, ..	2,000	400	200,000	40,000	—	—	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
70	Chicago, ..	St. Ignatius' College, ..	75,000	15,000	200,000	40,000	—	—	11,345	2,269	—	—	—	—	—	—	11,345	2,269
87	Peru, ...	St. Bede College, ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
† 89	Quiney, ...	St. Francis Solanno College,	6,500	1,300	135,000	27,000	—	—	6,000	1,200	—	—	—	—	—	—	6,000	1,200
91	Tentopolis, ..	St. Joseph's Diocesan College,	6,000	1,200	100,000	20,000	—	—	22,000	4,400	—	—	—	—	—	—	22,000	4,400
	Michigan.																	
202	Detroit, ...	Detroit College, ..	—	—	160,000	32,000	—	—	8,000	1,600	—	—	—	—	—	—	8,000	1,600
	Wisconsin.																	
468	Milwaukee, ..	Marquette College, ..	2,700	540	130,000	26,000	—	—	6,000	1,200	—	—	—	—	500	100	6,000	1,200
470	St. Francis, ..	Seminary of St. Francis de Sales.	—	—	300,000	60,000	—	—	35,000	7,000	—	—	—	—	—	—	35,000	7,000
	Minnesota.																	
207	Collegeville, ..	St. John's University, ..	2,000	400	300,000	60,000	—	—	17,000	3,400	—	—	23,000	4,600	—	—	40,000	8,000
	Missouri.																	
227	Cape Girardeau, ..	St. Vincent's College, ..	18,000	3,600	75,000	15,000	—	—	1,200	240	—	—	—	—	—	—	1,200	240
239	St. Louis, ..	Christian Brothers' College,	5,000	1,160	600,000	120,000	—	—	60,000	12,000	—	—	—	—	—	—	60,000	12,000
240	Do., ...	St. Louis University, ..	—	—	500,000	100,000	—	—	26,500	5,300	—	—	—	—	—	—	26,500	5,300
	Nebraska.																	
257	Omaha, ...	Creighton University, ..	25,000	5,000	250,000	50,000	150,000	30,000	3,500	700	10,000	2,000	—	—	—	—	13,500	2,700
	Kansas.																	
135	Atchison, ..	St. Benedict's College, ..	Nil	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil	Nil.	Nil.
145	St. Mary's, ..	St. Mary's College, ..	—	—	180,000	36,000	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,	,
		Total, ...	..	..	..	..	150,000	30,000										

Section 5.—Western Division.

Reference No.	State and Locality.	Name of Institution.	Date of Foundation.	Professors and Teachers.				Students.					Number of Fellowships.	Number of Scholarships.	Library	
				In Preparatory Department.	In Collegiate Department proper.	In Professional Departments.	Total Number	In Preparatory Department.	In Collegiate Department proper.	In Graduate Department.	In Professional Departments.	Total Number.			Number of Bound Volumes.	Number of Pamphlets.
	Colorado.															
34	Denver, ...	1. College of the Sacred Heart, ..	1876	1	14	—	15	114	32	—	—	146	—	18	15,000	—
				1	14	—	15	114	32	—	—	146				
	Washington.															
456	Spokane, ...	1. Gonzaga College, ..	1887	1	13	—	14	24	109	—	—	133	—	—	2,000	Nil
—	Vancouver, ...	2. St. James' College, ..	1856			(No statistics furnished since 1894–95.)							—	—	300	200
				1	13	—	14	24	109	—	—	133				
	California.															
24	Los Angeles, ..	1. St. Vincent's College, ..	1865	4	11	—	15	56	74	—	—	130	—	—	3,000	500
27	San Francisco, ..	2. St. Ignatius' College, ..	1855	6	15	—	21	274	257	—	—	531	—	—	25,000	5,000
28	Sta. Clara, ..	3. Sta. Clara College, ..	1851	2	22	—	24	17	221	—	—	238	—	—	23,000	3,000
—	Oakland, ...	4. St. Mary's College, ..	1863			(No statistics furnished since 1894–95.)							—	—	10,000	—
				12	48	—	60	347	552	—	—	899				
	Total, ...	7 Institutions, ...	—	14	75	—	89	485	693	—	—	1,178				

SECTION 5.—WESTERN DIVISION—(*continued*).

Reference No.	State and Locality.	Name of Institution.	PROPERTY.						SOURCES OF INCOME.						Benefactions.		Total Income.	
			Value of Scientific Apparatus and Library.		Value of Grounds and Buildings.		Amount of Productive Funds.		Income from Tuition Fees.		Income from Productive Funds.		Income from other Sources.					
	Colorado.		Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£	Dollars.	£
34	Denver, ...	College of the Sacred Heart,	14,000	2,800	200,000	40,000	—	—	30,000	6,000	—	—	—	—	—	—	30,000	6,000
	Washington.																	
456	Spokane, ..	Gonzaga College, ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil	Nil.	Nil.	Nil.
—	Vancouver, ..	St. James' College, ..	1,000	200	10,000	2,000	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,
	California.																	
24	Los Angeles, ..	St. Vincent's College, ..	1,500	300	40,000	8,000	—	—	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,
27	San Francisco, ..	St. Ignatius' College, ..	60,000	12,000	800,000	160,000	—	—	4,560	912	—	—	—	—	—	—	4,560	912
28	Sta. Clara, ..	Sta. Clara College, ..	80,000	16,000	95,000	19,000	—	—	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
—	Oakland, ..	St. Mary's College, ..	20,000	4,000	250,000	50,000	—	—	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,
		Total, ...	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

URUGUAY.

No. 26.

Mr. E. Thornton to the Marquess of Salisbury.—(Received January 10, 1898.)

Monte Video, December 6, 1897.

MY LORD,

In reply to your Lordship's Circular despatch of the 16th February last, I have the honour to inclose herewith a short Memorandum I have drawn up on the provision made for the University Education of Roman Catholics in Uruguay.

I have, &c.,

(Signed), EDWARD THORNTON.

Inclosure in No. 26.

Memorandum on the Provision made for the University Education of Roman Catholics in Uruguay.

The State religion of Uruguay is Roman Catholic, but no special provision is made for the University Education of Roman Catholics. University Education is open to persons of all creeds indiscriminately, and religion forms no part of the University course.

There is one University, that of Monte Video. It is a State institution, under the control of the Minister of Public Instruction ("Ministro de Fomento"). It is managed by a Rector, acting under special laws, who is chosen by the Government out of three candidates elected by the vote of all citizens on the books of the University having the title of Doctor or Licentiate. He is assisted by Deans and a Council. The salaries of the Rector and Professors are paid directly by the Treasury, and the working expenses are covered by the income derived from the fees, from a fixed Government grant, and from a further sum of money at the disposal of the Ministry of Public Instruction for eventualities.

The total population of Uruguay is about 800,000, of which only a very small proportion is not Roman Catholic.

The exact numbers are not available.

The University has no connection with the Episcopate.

(Signed), EDWARD THORNTON.

Monte Video, December 6, 1897.

IX.

DOCUMENTS. IX.

Papers relating to University Education of Roman Catholics in Certain Colonies.*

No. 1.

MR. CHAMBERLAIN TO GOVERNORS OF CERTAIN COLONIES.†

MY LORD,

Downing Street, July 13, 1899.

SIR,

Her Majesty's Government have undertaken to present to Parliament information as to the provision made in certain European countries for the University Education of Roman Catholics, with special reference to the constitution of such Universities, the amount of their endowments, the sources from which such endowments are derived, and the number of persons receiving University Education in proportion to the Roman Catholic population, and I have been asked to furnish similar information as regards Universities in the Colonies.

I should wish, therefore, to receive any information bearing on this subject, which you can supply me with, as regards the Colony under your administration, and more particularly as to the nature of any relations that may subsist between the Roman Catholic Episcopate and the University authorities.

I have, &c.,

J. CHAMBERLAIN.

No. 2.

NEW SOUTH WALES.

GOVERNOR EARL BEAUCHAMP TO MR. CHAMBERLAIN.

(Received October 30, 1899.)

Government House, Sydney,

September 20, 1899.

SIR,

In compliance with the wish preferred in your despatch of the 13th of July last, to be supplied with information as to the provision made in this Colony for the University Education of Roman Catholics, I have the honour to transmit, for your information, the accompanying copy of a letter of the Registrar of the Sydney University, together with its enclosures, on the subject.

I have, &c.,

BEAUCHAMP.

* Parliamentary Paper, 1900, Cd. 115.

† Canada, New South Wales, Victoria, South Australia, New Zealand, Cape, Tasmania, Queensland, Malta.

DOCUMENTS. IX.

Enclosure in No. 2.

University of Sydney, August, 28, 1899.

SIR,

Dated 28th Aug., 1899.

Referring to the accompanying copy of a despatch from the Right Honourable the Secretary of State for the Colonies on the subject of the provision made in New South Wales for the University Education of Roman Catholics and the relations subsisting between the Roman Catholic Episcopate and the authorities of the University, I have the honour to inform you as follows:—

N.S.W. Act 14, Victoria No. 31.

The University of Sydney was incorporated in 1850, the Preamble of the Act of Incorporation commencing in the following terms:—"Whereas it is deemed expedient for the better advancement of religion and morality and the promotion of useful knowledge to hold forth to all classes and denominations of Her Majesty's subjects resident in the Colony of New South Wales without any distinction whatsoever an encouragement for pursuing a regular and liberal course of education."

The University of Sydney receives for general purposes an endowment from the Government of £12,000 per annum, and from private benefactions an endowment of £12,000 per annum.

N.S.W. Act 18, Victoria No. 37.

In 1854 an Act of the Legislature of New South Wales was passed to provide for the establishment and endowment of Colleges within the University of Sydney. The preamble of the Act is as follows:—"Whereas it is expedient to encourage and assist the establishment within the University of Sydney in which systematic religious instruction and domestic supervision with efficient assistance in preparing for the University Lectures and Examinations shall be provided for the students of the University be it therefore enacted, &c."

The Act provides under certain conditions for a grant from the Government of not less than £10,000, nor more than £20,000 for building purposes in each case, provided that an equal amount shall have been raised by private subscriptions, and also for a grant of £500 per annum in perpetuity for the payment of the Principal of each College.

The deed of grant under which the University holds its lands from the Crown provides for sub-grants for the erection of Colleges connected with four Churches or Religious Denominations, viz.:—

The United Church of England and Ireland;
The Church of Rome;
The Church of Scotland;
The Religious Society denominated Wesleyan Methodists.

Under these provisions Colleges have been incorporated and established upon the University Grounds in connection with the Church of England (St. Paul's College, Incorporation Act, 18 Victoria), Church of Rome (St. John's College, Incorporation Act, 21 Victoria), Church of Scotland (St. Andrew's College, Incorporation Act, 31 Victoria).

As the University of Sydney is a non-sectarian institution, no enquiries are made as to the religious persuasion of the students upon their entering the University, while residence in the Colleges not being compulsory upon University students, who are at liberty to reside with their parents or in lodgings near the University, the statistics of the numbers attending any particular College will not represent the due proportion of students of any particular denomination at the University. The total number of students attending the University lectures is 512, while the number of students in residence at the respective Colleges is:—

St. Paul's College, Church of England,	16
St. John's College, Roman Catholic,	16
St. Andrew's College, Presbyterian,	25

It is believed that the number of Roman Catholic students attending the University, many of whom are not in residence at St. John's College, bears a fair proportion to the number of the Roman Catholic population as compared with the numbers of students of other denominations.

The Roman Catholic College is governed by a Council consisting of a Rector and 18 Fellows, of whom 6 must be duly approved priests and 12 must be laymen. The mode of appointment will be found in Section 3 of Act 21 Victoria. The Roman Catholic Archbishop of Sydney is Visitor of the College, with all such powers as by law appertain to the office of Visitor of the College.

The authorities of the University are seldom or never brought into contact with the Roman Catholic Episcopate, but the relations subsisting between them have, it is believed, been uniformly of a friendly character. It may be mentioned that Archbishop Polding, formerly head of the Roman Catholic Church in New South Wales, was a member of the Senate or Governing Body of the University from 1856 to 1877, and the Senate has never had less than two members of the Roman Catholic Body among its numbers. In 1865-9 a distinguished Roman Catholic layman was Vice-Chancellor of the University. The Senate consists of sixteen Fellows, elected by the graduates of the University, and not less than three nor more than six Professors of the University.

The Acts of Parliament relating to the University and the Affiliated Colleges and the Deeds of Grant accompany this letter, together with Calendar of the University of Sydney for the year 1899.

I have, &c.,

H. E. BARFF,
Registrar.

J. C. Maynard, Esq.,
Under Secretary for Public Instruction,
Sydney.

No. 3.

VICTORIA.

GOVERNOR LORD BRASSEY TO MR. CHAMBERLAIN.

(Received November 13, 1899.)

Government House, Melbourne,
September 22, 1899.

SIR,

In compliance with the request contained in your despatch of 13th July ultimo, I have the honour to transmit to you a copy of letters (2) from His Grace the Roman Catholic Archbishop of Melbourne and the Registrar of the University of Melbourne respectively on the subject of the University Education of Roman Catholics, and the relations existing between the Roman Catholic Episcopate and the University authorities. A copy of the University Calendar is also forwarded herewith.

I have, &c.,

BRASSEY.

Enclosure in No. 3.

St. Patrick's Cathedral, Melbourne,
September 19, 1899.

SIR,

In reply to your letter of enquiry regarding the provision made by the State for the University Education of Roman Catholics, and the relations existing between the Roman Catholic Episcopate and the University authorities, I have to state that the only provision hitherto made consists of the grant of a site for the erection of a Catholic College to be affiliated to the Melbourne University.

That College, owing chiefly to the double tax Catholics have to pay for primary education, has not been as yet erected, and consequently there are no special relations existing between the Catholic Episcopate and the Melbourne University authorities.

I have, &c.,
THOMAS J. CARR,
Archbishop of Melbourne.

The Right Hon. Sir George Turner, K.C.M.G.,
Premier of Victoria.

The University of Melbourne,
September 12, 1899.

SIR,

I have the honour to acknowledge the receipt of your letter of the 22nd August last, forwarding a copy of a despatch from the Secretary of State for the Colonies, asking for certain information respecting the University Education of Roman Catholics.

In reply I am directed to inform you that your letter was considered by the Council at its last meeting, when it was resolved that the Premier be informed that there is in this University no special or separate education for Roman Catholics, and that to use the words in the Letters Patent granted to our University, "Encouragement for pursuing a regular and liberal education is held forth to all classes and denominations without any distinctions whatsoever," it being enacted by Section 23 of the University Act that no religious test shall be administered to any person in order to entitle him to be admitted as a student of the said University or to hold office therein, or to graduate thereat, or to hold any advantage or any privilege thereof.

Also by Section 20 statutes may be made for the affiliation of Colleges to the University, but no statutes can be made to affect the religious observances or regulations enforced in such Colleges. Three Colleges have been affiliated, viz., Trinity College (Church of England), Ormond College (Presbyterian), and Queen's College (Wesleyan), and although a College for Roman Catholics has not yet been erected, land has been reserved for the purpose.

I am also directed to state that for many years the late Archbishop Gould was a member of the Council of the University, and Roman Catholics besides being members of the Council and of the Senate have occupied, and are now occupying, some of the highest positions in the University.

I send herewith a copy of our Calendar for the year 1900, from which will be seen the courses of instruction for the various degrees and other information respecting the University.

I have, &c.,
E. F. A'BECKETT.
Registrar.

The Secretary,
Premier's Office,
Melbourne.

No. 4.

QUEENSLAND.

GOVERNOR LORD LAMINGTON TO MR. CHAMBERLAIN.

(Received October 10, 1899.)

Government House, Brisbane,
September 1, 1899.

SIR,

In reply to your despatch dated the 13th July last, asking for certain information in regard to the constitution of the Universities in the Australasian Colonies, I have the honour to inform you that there is no University in Queensland, but three Exhibitions are granted annually by the Government, available at a University approved by the Governor in Council, and tenable for a period of three years. These are open to all students of either sex, under the age of nineteen years, without regard to religious faith.

A copy of the regulations in force affecting these Exhibitions to Universities is forwarded herewith.

I have, &c.,
LAMINGTON.

Enclosure in No. 4.

Department of Public Instruction.
Brisbane, August 10, 1899.

EXHIBITIONS TO UNIVERSITIES.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to direct that a Competitive Examination for Exhibitions to Universities be held at Brisbane, commencing at 9.30 o'clock a.m., on the 13th November next.

The Sydney Senior Examination will be used for the purposes of the competition, and the subjects will be as follows:—

English,	200	marks.
Latin (prescribed book),	200	,,
Latin (unseen),	300	,,
Greek (prescribed book),	200	,,
Greek (unseen),	300	,,
Mathematics, including Algebra, Geometry, Trigonometry, and Mechanics,	900	Marks
French or German,	200	,,
History of Europe,	200	,,
Ancient History,	200	,,
Natural Science (one only of the following subjects—viz., Inorganic Chemistry, Physics, Botany, Geology, Zoology, or Physiology),	200	,,

2. The examination will be open to all students of either sex who will not have attained the age of nineteen years on the 31st of December next, or who are State School scholars under five years standing, and who have resided in the Colony for the two years immediately preceding the Examination, or whose parents have resided in the Colony for the three years immediately preceding the Examination. Every candidate for an Exhibition must, when making application to be examined, submit to the Department of Public Instruction a certificate attesting the date of birth, and must state the alternative subjects to be taken—namely, whether the candidate elects to be examined in French or in German, and which of the four subjects under the head of "Natural Science" is chosen.

3. Exhibitions, tenable for a period of three years commencing in 1900, subject to good behaviour and the pleasure of Parliament, and of the annual value of £100, will be awarded to the candidates, not exceeding three in number, who attain the highest places at the Examination, and whose papers are of sufficient merit.

4. The amount of each Exhibition will be payable upon the condition that the holder thereof proceeds to some University approved by the Governor in Council, and becomes a matriculated student thereof; and payment will be made only during such time as such

holder remains in attendance upon lectures in such University as a matriculated student, and shows satisfactory diligence and good conduct.

5. Payment will be made annually, half-yearly, or quarterly, at the option of the holder. Before the first payment is made a certificate from the Registrar or other responsible officer of the University attended by the Exhibitioner must be produced, certifying that the applicant is a matriculated student of such University; and before each subsequent payment is made a certificate must be presented to the effect that the applicant remains in attendance on lectures at that University, and has shown satisfactory diligence and good conduct during the period for which payment is claimed.

6. Intending candidates must forward to the Under Secretary for Public Instruction their names, with particulars showing that they are eligible, under the conditions above stated. That information must reach the Education Office not later than the 30th September proximo, accompanied by a certificate from the head of a Grammar School, or from a magistrate, that the candidates have resided in the Colony for the two years immediately preceding the Examination, or that their parents have resided in the Colony for the three years immediately preceding the Examination.

7. The Examination will be held in Brisbane, and will be conducted by an officer of the Department of Public Instruction. The Senate of the University of Sydney has consented to accept the Examination so conducted as valid for the purposes of the ordinary Senior Examination.

W. HORATIO WILSON.

No. 5.

SOUTH A STRALIA.

GOVERNOR LORD TENNYSON TO MR. CHAMBERLAIN.

(Received December 26, 1899.)

Government House, South Australia,
Nov. 20, 1899.

SIR,

Referring to your despatch of the 13th July last, asking for information concerning the provision made by the University of Adelaide for the Education of Roman Catholics, I have the honour to transmit to you a Memorandum from the Registrar of the University of Adelaide, giving full information on the subject.

I have, &c.,
TENNYSON.

Enclosure in No. 5.

The University of Adelaide,
November 17, 1899.

SIR,

In response to your request for information concerning the provision made by the University of Adelaide for the education of Roman Catholics, and as to the relations between the Roman Catholic Episcopate and the University authorities, I have the honour to state that there is no distinction whatever made in the University, that it is purely undenominational in character, no religious test is required, and no distinction is drawn between Roman Catholics and other members of the community.

The following is an extract from the Act of Incorporation, Calendar for 1899, page 461:—

"No religious test shall be administered to any person in order to entitle him to be admitted as a student of the said University, or to hold office therein, or to graduate thereat, or to hold any advantage or privilege thereof."

The following information, however, may be of interest:—

1. Out of 1,700 candidates presenting themselves for the various public examinations this year, 230 are from Catholic schools. The Christian Brothers' Colleges and Convent Schools each year send up a good number of candidates.

2. Out of 102 undergraduates proceeding to degrees this year, 10 came from Catholic schools.

I might also mention that the late Right Rev. C. A. Reynolds, D.D., Roman Catholic Bishop, was one of the first members of the Council of this University.

I have, &c.,
CHAS. R. HODGE,
Registrar.

The Honourable
The Minister of Education and Agriculture,
General Post Office,
Adelaide.

No. 6.

TASMANIA.

ACTING GOVERNOR DODDS TO MR. CHAMBERLAIN.

(Received October 2, 1899.)

Government House, Hobart, Tasmania,
August 28, 1899.

SIR,

I have the honour to forward a letter which I have received from my Prime Minister, giving certain information upon the subject of your despatch, dated 13th July, 1899.

I have, &c.,
J. S. DODDS.

Enclosure in No. 6.

Premier's Office, Hobart, August 25, 1899.

YOUR EXCELLENCY,

Referring to the Secretary of State's despatch, dated 13th July, 1899, returned herewith, I have the honour to inform you that the University of Tasmania is maintained out of a yearly vote granted by Parliament. The number of persons receiving University education in proportion to the Roman Catholic population is approximately as 1 to 666.

There is no provision made in the University of Tasmania specially for Roman Catholics, as such, the Act of Incorporation prohibiting (A) the administration of any religious test for admission to, or graduation in, this University, (B) the conferring of any degree in theology or divinity, and consequently there is no occasion for any official relations between the Roman Catholic Episcopate and the University.

I have, &c.,
C. N. BRADDON.
Premier.

His Excellency
The Administrator of the Government.

No. 7.

NEW ZEALAND.

GOVERNOR THE EARL OF RANFURLY TO MR. CHAMBERLAIN.

(Received November 2, 1899.)

Wellington, September 15, 1899.

SIR,

With reference to your despatch, dated 13th July, 1899, relative to the University Education of Roman Catholics, I have the honour to inform you that the Charter of the New Zealand University states that its benefits are for "all classes and denominations of Our faithful subjects without any distinctions whatever." Accordingly the University of New Zealand itself, and the four University Colleges to one of which a student must join himself in order to graduate, are quite undenominational in the constitution of their governing bodies, and all their privileges are open to any subject of Her Majesty.

2. My Government have no means of ascertaining how many of the total number of University students are Roman Catholics.

3. With regard to the governing bodies, the Most Reverend Archbishop Redwood is a Fellow of the Senate of the University; the Right Reverend Bishop Grimes is a Member of the Board of Governors of the Canterbury College; and the Very Reverend Dr. Watters is on the Council of the Victoria College, Wellington.

These have been elected, not as Roman Catholics, but in the same way as other citizens. Similarly my Ministers inform me that they understand that one layman of the Roman Catholic Church is a Fellow of the University Senate, a second is on the Auckland University College Council, and a third is on the Council of the Victoria College.

I have, &c.,

RANFURLY.

No 8.

CAPE OF GOOD HOPE.

GOVERNOR SIR ALFRED MILNER TO MR. CHAMBERLAIN.

(Received September 8, 1899.)

Government House, Cape Town,

August 21, 1899.

SIR,

I have the honour to enclose for your information, with reference to your despatch of the 13th ultimo, a copy of a Minute from Ministers on the subject of the University Education of Roman Catholics in this Colony.

I have, &c.,

A. MILNER,

Governor and High Commissioner.

Enclosure in No. 8.

From MINISTERS to the GOVERNOR.

(Minute.)

Prime Minister's Office, Cape Town,

August 21, 1899.

Ministers have the honour to acknowledge the receipt of His Excellency the Governor's Minute of the 4th instant, transmitting a despatch from the Right Honourable the Secretary of State for the Colonies, requesting information as to the provision made in this Colony for the University Education of Roman Catholics, with special reference to the constitution of the Colonial University, the amount of endowment in that regard, the sources from which such endowment is derived, and of the number of persons receiving University Education in proportion to the Roman Catholic population.

15th Aug., 1899.

In reply, Ministers have the honour to enclose herewith, for His Excellency's information, copy of a report which has been furnished by the Superintendent-General of Education on the subject, and to state that no special relations subsist in this Colony between the Roman Catholic Episcopate and the Authorities of the University.

W. P. SCHREINER.

Department of Public Education, Capetown,

August 15, 1899.

University Education of Roman Catholics in the Colony.

The UNDER-COLONIAL SECRETARY,

If, as it would appear, by "University Education of Roman Catholics" is meant Education in Roman Catholic Universities, it should be noted that such do not exist in South Africa.

The only University in South Africa is the University of the Cape of Good Hope, which is not at present a teaching University but conducts examinations and confers degrees. No religious disabilities or tests are applied to any candidate for examination or degrees.

The teaching of the candidates for the University degree is mainly carried on by Colleges whose management is independent of the University. In the six Colleges aided by the State under the Higher Education Act no religious tests are enforced.

THOS. MUIR,

Superintendent-General of Education.

No. 9.

MALTA.

GOVERNOR SIR F. W. GRENFELL TO MR. CHAMBERLAIN.

(Received October 31, 1899.)

The Palace, Valletta, October 27, 1899.

SIR,

I have the honour to acknowledge the receipt of your despatch of the 13th July last, calling for certain information in connection with the University Education of Roman Catholics in this Colony, which it is proposed to present to Parliament, together with similar information from other Colonies

2. It appears that 99 per cent. of the people of these Islands are Roman Catholics, and that the instruction imparted in the University and in all Government Educational Institutions in this Colony is based on Roman Catholic principles.

The University of Malta, to which a Lyceum is attached, originally belonged to the Society of Jesus, who used it as a residence for the members thereof, and as a College for the education of young men. In

DOCUMENTS. IX.

1769, after the suppression of that Society in these Islands, the Government of the Knights of St. John was authorised by the Holy See to take possession of their property, and Grand Master Pinto founded a University and endowed it with the rents accruing from landed estate, which devolved to the Crown on the annexation of Malta. Such rents amounted then to £620, and have since increased to £1,239. This sum, and the fees paid by students for instruction and examination, amounting to about £235 a year, are applied towards the expenditure on University Education.

The total expenditure provided for in the annual estimates is shown on the accompanying schedule.

The number of persons receiving University Education is at present 79, or ·05 per cent. of the Roman Catholic population. The average number of persons educated in the University annually during the last ten years was 114, or ·07 per cent. of the population.

The University comprises the following Faculties:—(1) Literature and Science, (2) Medicine and Surgery, (3) Law, and (4) Theology.

There is no direct connection between the Roman Catholic Episcopate and the University authorities, but the wishes of His Grace the Archbishop of Rhodes, Bishop of Malta, are met to the extent that changes contemplated in the curriculum of the Faculty of Theology are submitted to him for approval before their adoption; and the Professors occupying Chairs in that Faculty, as well as the Examiners, are appointed by the Governor of Malta after communicating with His Grace with a view of ascertaining that the Bishop has no good ground for objecting to the appointments.

I have, &c.,

F. GRENFELL,

Governor.

Enclosure in No. 9.

Schedule of the expenditure provided in the annual Estimates for the University between the years 1895 and 1899:—

1895	...	...	£4,102 5 0*
1896	...	...	4,105 16 8*
1897	...	...	4,266 10 6*
1898	...	...	4,206 0 0*
1899	...	...	4,245 17 4*

No. 10.

CANADA.

GOVERNOR-GENERAL THE EARL OF MINTO TO MR. CHAMBERLAIN.

(Received March 15, 1900.)

Government House, Ottawa,
February 19, 1900.

SIR,

In reply to your despatch of the 13th July last, asking for information in regard to the provision made in Canada for the University Education of Roman Catholics, I have the honour to forward herewith a copy of an approved Minute of the Privy Council, submitting the replies received from the Lieutenant-Governors of the Provinces having Roman Catholic Universities to letters of enquiry addressed to Their Honours, together with other documents containing information on the subject.

I have, &c.,

MINTO.

Enclosure in No. 10.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on the 13th February, 1900.

On a report, dated 7th February, 1900, from the Secretary of State submitting, with further reference to a despatch, hereto annexed, dated 13th July, 1899, from the Right Honourable Mr. Chamberlain, the Secretary of State for the Colonies, on the subject of the provision made in Foreign Countries and in Her Majesty's Colonial Possessions for the University Education of Roman Catholics, that immediately upon receipt of the above despatch letters of enquiry upon all the lines indicated by Mr. Chamberlain were addressed to the Lieutenant-Governors of the five Provinces of Canada which have Roman Catholic Universities or Colleges with University powers, or Colleges affiliated to undenominational Universities, namely, Ontario, Quebec, Nova Scotia, New Brunswick and Manitoba.

The Minister further submits copies of all the replies received from Their Honours; copies of the documents indicated in their despatches; as well as copies of the Calendars of Laval University (both at Quebec and Montreal) and of the Universities of Ottawa and of St. Francis Xavier's College, all Roman Catholic institutions; together with copy of the Calendar of the University of Manitoba, an undenominational Examining Body, but having a Roman Catholic College among its affiliated schools.

The Committee advise that Your Excellency be moved to transmit a certified copy of this Minute, together with the copies and documents hereto appended, to the Right Honourable Her Majesty's Principal Secretary of State for the Colonies.

All which is respectfully submitted for Your Excellency's approval.

JOHN J. McGEE,
Clerk of the Privy Council.

Government House, Winnipeg,
October 9, 1899.

SIR,

In reply to your Departmental letter of the 4th instant, and in further reply to Departmental letter of the 1st August, I have the honour to enclose a copy of a communication which I have received from my Government giving the information asked for respecting the provision made for the University Education of Roman Catholics.

I have, &c.,

J. C. PATTERSON,
Lieutenant-Governor.

The Honourable
The Secretary of State,
Ottawa.

Printed matter also under separate cover.

Government House, Winnipeg, Executive Council,
Manitoba, October 5, 1899.

SIR,

I have the honour to acknowledge the receipt of your communication, dated the 4th of August, 1899, requesting information *re* the University Education of Roman Catholics in European countries with special reference to the constitution of such Universities, the amount of their endowment, the sources from which such endowments are derived, the number of persons receiving University Education in proportion to the Roman Catholic population. In reply I beg to inform you that your communication was submitted to the Registrar of the University of Manitoba for his reply thereto. In answer to the communication sent him, he states:—

"The University of Manitoba is at present only an examining body, and has in affiliation with it St.

* These amounts include salaries amounting to a total of £1,064 payable to the Director of Education and other officers, who also perform duty in connection with the Lyceum annexed to the University

Boniface College (Roman Catholic), Manitoba College (Presbyterian), St. John College (Episcopalian), and Wesley College (Methodist). Each of these Colleges is entitled to send seven representatives to the University Council. These affiliated Colleges have full charge of their own internal affairs, but send their students to the University of Manitoba for examination, this University being the only degree-conferring power in this Province. The only endowment the University of Manitoba has at present is a grant of 150,000 acres of land given by the Dominion Government to the University. Practically none of this land has been sold as yet."

In regard to the course of study provided by the University I beg to point out that the special course in Mental and Moral Sciences has hitherto been taken only by students of St. Boniface College, and is practically a course that is available only for Roman Catholic students. I am sending along with this letter a copy of the University Calendar which will give full information in regard to the course of study.

I have, &c.,

DAVID PHILIP.
Chief Clerk.

To His Honour
The Lieutenant-Governor,
Government House, City.

Government House, Halifax, August 31, 1899.

SIR,

In reply to your despatch of the 1st instant, asking for information for the use of the Parliament of the United Kingdom respecting the provision made in certain European countries for the University Education of Roman Catholics, with special reference to the constitution of such Universities, the amount of their endowment, the source from which such endowments are derived, and the number of persons receiving University Education in proportion to the Roman Catholic population, I have now the honour to transmit a statement from the Provincial Secretary's Department, addressed to my private secretary, which, with the Calendar of St. Francis Xavier's College, also enclosed, contains all the information available, so far as Nova Scotia is concerned.

I have, &c.,

M. B. DALY,
Lieutenant-Governor.

The Honourable
The Secretary of State of Canada,
Ottawa.

Provincial Secretary, Nova Scotia,
Halifax, August 24, 1899.

SIR,

I am directed to reply to a communication from His Honour the Lieutenant-Governor respecting information relative to the University Education of Roman Catholics in so far as the Province is concerned, and for that purpose forward the Calendar of the University of St. Francis Xavier's College, to which reference is made.

There are in Nova Scotia at the present time two Catholic Universities, called respectively St. Francis Xavier's, in the County of Antigonish, and St. Anne's, in the County of Digby.

With regard to (*a*) constitution, (*b*) amount and sources of endowment, (*c*) numbers receiving University education in proportion to Roman Catholic population, (*d*) relations that subsist between Roman Catholic Episcopate and the authorities of the Universities, I beg leave to furnish the following information:—

On pp. 4, 5, 6, 7, 8, and pp. 51 and 52 of the Calendar will be found all information relating to enquiry (*a*). With respect to enquiry (*b*) the revenue derived from its endowments, fees, etc., is in the vicinity of twelve thousand dollars ($12,000.00). Enquiry (*c*). The number of students attending the session ending in summer of 1898 was 101, whilst the Catholic population according to census of 1891 in the whole Province of Nova Scotia was 122,452. Enquiry (*d.*) The Right Reverend John Cameron, D.D., Bishop of Antigonish, is Chairman (*ex officio*) of the Board of Governors.

St. Anne's University was destroyed by fire in 1898, but a new building, larger and more commodious, is now almost completed.

Information taken from one of its Calendars in regard to enquiries made are:—

(*a.*) It was founded in 1890. On 30th April, 1892, in virtue of an Act passed by the Provincial Parliament of Nova Scotia, the College was incorporated and chartered "as a University with all and every the usual privileges of such an institution"; and the Directors of said Corporation then or hereafter appointed were entrusted with the power and privilege of conferring the degrees of Bachelor, Master, and Doctor in the several Arts and Faculties, and of making such bye-laws and regulations as they may deem necessary to govern the granting of such degrees, and determining the scholastic requirements therefor.

(*b.*) No information on this point can be furnished beyond its receiving an annual grant from the Local Government of sixteen hundred dollars ($1,600), as the institution acts in the capacity of a County Academy.

(*c.*) The number of students attending, previous to its destruction by fire, was 107, and, as before mentioned, the total Catholic population according to the last census taken, was 122,452.

(*d.*) The Archbishop of Halifax is (*ex officio*) Chairman of the Board of Governors.

I have, &c.,

E. C. FAIRBANK,
Deputy Provincial Secretary.

Colonel H. W. Clerke,
Private Secretary,
Government House.

Government House, Riverside, N.B.,
August 17, 1899.

SIR,

Referring again to despatch of the 1st instant, enquiring as to any relation that may exist in New Brunswick between the Roman Catholic Episcopate and the University authorities, I am now able to forward herewith a report on the subject by J. R. Inch, LL.D., Chief Superintendent of Education.

I remain, &c.,

A. R. McCLELAN,
Lieutenant-Governor.

To the Under-Secretary of State,
Ottawa.

Province of New Brunswick Education Office,
Fredericton, August 16, 1899.

MAY IT PLEASE YOUR HONOUR,

In reply to your communication of the 10th instant, enclosing letter of inquiry dated 1st August, 1899, from the Under-Secretary of State, in regard to provision for the University Education of Roman Catholics in New Brunswick, I beg to submit the following statement:—

In the Province of New Brunswick no State provision is made for the University Education of any particular denomination or class. The Provincial University is open to Roman Catholics, as to all other citizens, upon equal terms. No relations subsist between the Roman Catholic Episcopate and the authorities of the University other than ordinary relations of common citizenship.

There are in the Province, besides the Provincial University, two Colleges with University powers under charter from the Provincial Legislature; one of these is under the control of the Roman Catholic Church and the other of the Methodist Conference.

These denominational institutions are maintained wholly by fees and private endowments, and receive no grants whatever from the Public Treasury.

I have, &c.,

J. R. INCH,
Chief Superintendent Education.

The Honourable A. R. McClelan, D.C.L.,
Lieutenant-Governor, &c.,
Government House, Riverside, Albert Co.

DOCUMENTS, IX.

Government House, Toronto, Ontario,
August 26th, 1899.

SIR,

Adverting to your despatch of the 1st instant, I have now the honour to enclose to you herewith a copy of a letter which has been received by my Minister of Education from the Secretary of the University of Ottawa, which gives the only information available respecting the inquiry made regarding Roman Catholic Universities in this Province. A copy of the curriculum of that institution is also enclosed.

have, &c.,

O. MOWAT,
Lieutenant-Governor of Ontario.

The Honourable
The Secretary of State,
Ottawa, Ontario.

University of Ottawa, Ottawa, Canada,
August 21, 1899.

DEAR SIR,

In reply to the communication from the Secretary of State's Department, Ottawa, asking certain information regarding the constitution and endowment of Catholic Universities, I am sending you our last annual Calendar, in the opening pages of which I think you will find data for a reply to some of the inquiries made.

The University of Ottawa has no regular endowment. It is conducted by members of a religious order, the Oblates of Mary Immaculate. Some fifty members of this religious order are engaged in educational work here without salary. They receive from the University in return for their services, board, clothing, a small allowance for vacation annually, and an assurance of ample assistance in sickness and old age.

Sincerely yours,

WM. J. MURPHY, O.M.I.,
Secretary.

Mr. John Millar,
Deputy Minister of Education,
Toronto, Ontario.

Québec, Février 6, 1900.

MONSIEUR,

En réponse à vos dépêches, j'ai l'honneur de vous transmettre, sous ce pli, un rapport du Surintendant de l'instruction publique, au sujet de l'éducation universitaire des Catholiques Romains.

Vous recevrez par la malle un paquet contenant six brochures au sujet de cette question.

J'ai, &c.,

L. A. JETTÉ,
Lieutenant-Gouverneur.

L'Honorable
Secrétaire d'Etat,
Ottawa.

Département de l'Instruction publique,
Québec, Février 3, 1900.

MONSIEUR LE MINISTRE,

Pour me conformer aux intentions de l'honorable Secrétaire d'Etat dont vous m'avez fait part, j'ai l'honneur de vous transmettre les renseignements que j'ai pu obtenir relativement à l'Université Laval, la seule université Catholique établie dans la province de Québec.

Sur la demande que je lui en ai faite, Mr. le recteur de l'Université m'a communiqué, touchant l'organisation de cette institution, les informations qui suivent que je reproduis intégralement :—

"L'Université Laval, a été fondée en 1852 par le Séminaire de Québec à la demande et sur les instances de NN. SS. les évêques du Bas-Canada. On voulait ouvrir à la population Française et Catholique une maison d'enseignement supérieur qui pourrait rivaliser avec celles que fréquentaient les enfants de langue et de religion différentes.

"Le gouverneur du Canada, Lord Elgin, et ses ministres comprirent la raison d'être d'une telle institution. 'We have no hesitation,' écrivaient-ils, 'in acknowledging the justice and propriety of securing to the numerous and important body of Catholics in Canada the benefit of a University which they have been until now deprived of.' Grâce à ce concours aussi nécessaire qu'efficace, une charte royale fut accordée par S. M. la Reine Victoria et signée à Westminster le 8 Décembre, 1852.

"De son côté, le Souverain Pontife, Pie IX., satisfait d'une épreuve de presque un quart de siècle, accorda à l'Université Laval, le 15 Mai, 1876, l'érection canonique solennelle par la Bulle 'Inter varias sollicitudines,' dans laquelle le Souverain Pontife daignait reconnaître le bien produit par cette institution pendant ses vingt quatre ans d'existence.

"En vertu de cette charte royale, le supérieur et les directeurs du Séminaire de Québec forment, comme par le passé, une corporation légale, jouissant des mêmes droits et privilèges que ci-devant, et ayant en outre tous les droits, pouvoirs et privilèges d'une université, pour l'éducation et l'instruction de la jeunesse et des étudiants dans les différentes facultés.

"Le Visiteur de l'Université sera toujours l'archevêque catholique romain de Québec.

"Le Recteur de l'Université sera toujours le Supérieur du Séminaire de Québec.

"Il y a dans les différentes facultés de la dite université, autant de professeurs qu'il est jugé convenable par le Visiteur, de l'avis du Conseil de l'Université.

"Le recteur et les professeurs, toutes les personnes admises comme membres de l'Université et leurs successeurs, constituent une corporation légale qui est désignée par les termes: "Le recteur et les membres de l'Université Laval, à Québec, dans la Province du Canada." Cette corporation a un sceau commun, qu'elle peut détruire, altérer ou renouveler, selon qu'elle le trouvera convenable. Elle peut poursuivre et répondre à toute poursuite devant les tribunaux ou cours de justice du Royaume Uni, de la Province du Canada, et des autres domaines de Sa Majesté de la même manière que les corporations qui ont, sous ce rapport, les plus amples privilèges.

"Il y a dans l'Université un conseil appelé le Conseil de l'Université Laval. Il se compose du recteur, des directeurs du Séminaire de Québec et des trois plus anciens professeurs de chaque faculté (Théologie, médecine, Droit et Arts). Tous les pouvoirs accordés par Lettres Patentes, sont exercés par le conseil de l'Université qui a toute autorité pour faire les statuts, régles et ordonnances concernant le gouvernement de l'Université, les études, les leçons et autres exercices, les degrés dans les Facultés et sur toutes les matières qui ont rapport à ces choses et qu'il croit propres à procurer l'avantage de la dite université. Il peut aussi révoquer, renouveler et changer tous ces statuts, régles et ordonnances, après les avoir adoptées, mais dans tous les cas, il ne peut rien faire, régler ou ordonner qui soit contraire ou opposé aux lois et statuts du Royaume Uni, de la Province du Canada, ou aux dispositions des Lettres Patentes elles-mêmes.

"Le conseil de l'Université a le pouvoir nécessaire pour nommer les professeurs des Facultés de Droit, de Médecine et des Arts, et pour révoquer et annuler les nominations déjà faites, quand il croira avoir une cause juste et suffisante pour le faire. Il a aussi le droit de présenter au Visiteur les nouns de ceux qu'il croira propres à devenir professeurs dans la Faculté de Théologie; mais c'est à celui-ci à faire la nomination.

"L'Université peut conférer les degrés de bacheliers, de licencie, et de docteur dans toutes les facultés à tout étudiant, qu'il soit élève ou non de l'Université. Elle jouit en outre de tous les privilèges dont jouissent les universités du Royaume-Uni.

"En vertu de la Bulle "Inter varias sollicitudines," l'Université a pour protecteur à Rome, auprès du Saint Siège, Son Eminence le Cardinal Prefet de la Propagande. La haute surveillance de la doctrine et de la discipline, c'est-à-dire, de la foi et des mœurs, est dévolue à un conseil supérieur composé de NN. SS. les Archevêques et Evêques de la Province le Québec, sous la présidence de Mgr. l'Archevêque de Québec, nommé lui-même chancelier apostolique de l'Université.

"L'enseignement se donne par des professeurs titulaires ordinaires ou extraordinaires, par des professeurs agrégés et par des professeurs chargés de cours.

Les professeurs ordinaires sont seuls professeurs dans le sens voulu par la Charte et peuvent seuls être membres du conseil universitaire. Un professeur titulaire dans une faculté ne peut être nommé professeur titulaire dans une autre faculté, mais il peut y être professeur agrégé ou chargé du cours.

"Les cours sont privés dans les facultés de théologie, de droit ou de médecine. Cependant tout prêtre peut être admis aux cours de théologie; il en est de même à l'égard des avocats et notaires pour les cours de droit, et à l'égard des médecins et des chirurgiens pour les cours de médecine. Dans la faculté des arts, il y a des cours publics et des cours privés; ceux-ci ne sont que pour les élèves ou étudiants de la Faculté.

"Le conseil de chaque Faculté doit rédiger le programme complet de l'enseignement de cette faculté et le reviser de temps en temps. Ce programme après avoir été revisé par le conseil universitaire, est obligatoire pour les professeurs comme pour les élèves. Il ne peut être modifié qu'avec l'approbation du conseil universitaire, laquelle n'est ordinairement donnée en matière importante qu'après que la modification proposée a été discutée dans une assemblée générale des professeurs de la Faculté.

"A la fin de chaque terme, tous les élèves sont examinés sur les différentes matières qui leur ont été enseignées dans ce terme. Les résultats sont consignés dans les registres. Tout examen qui ne mérite pas au moins la note "assez bien," est entaché d'un vice qui s'oppose à l'obtention des degrés, jusqu'à ce qu'il soit remplacé, à un terme ultérieur, par un examen suffisant.

"Il y a deux classes d'élèves: les élèves inscrits ou élèves proprement dits; qui ont subi avec succès les examens de l'inscription dans la faculté des Arts, et les élèves étudiants, qui n'ont pas subi ces épreuves. Pour les facultés de droit et de médecine, les jeunes gens qui se proposent de pratiquer comme avocats, notaires ou médecins, dans la Province de Québec, doivent, pour être reçus comme élèves étudiants, avoir été adminis à l'étude pas les bureaux respectifs du Barreau, de la Chambre des notaires ou du Collège des médecins de la Province de Québec.

"En vertu d'une loi passée en 1891, les bacheliers ès sciences, ès léttres, ès arts, n'ont qu'à faire identifier leurs diplômes pour être admis à l'étude du droit et de la médecine sans examen.

"La collection d'appareils de physique est une des plus complètes du Canada. Elle renferme au-delà de mille instruments, ayant rapport à toutes les branches de la physique et servant à démontrer les principaux phénomènes et les découvertes les plus récentes. Ces instruments ont tous été fabriqués en Angleterre ou en France, et par conséquent ne laissent rien à désirer au point de vue du fini et de la précision.

"Le musée de minéralogie et celui de géologie renferment plus de deux mille échantillons chacun. Le musée botanique est aussi bien complet. L'herbier de l'Université contient plus de dix mille plantes. La collection d'insectes compte maintenant quatorze mille individus, provenant de toutes les parties du monde. Dans la galerie de peinture, qui renferme plus de cent cinquante tableaux, il y a un Lanfranc, un Lesueur, deux Parrocel, un Romanelli, trois Salvator Rosa, un Joseph Vernet, un Tintoret, un Puget, un Poussin, &c.

"La bibliothèque renferme environ cent cinquante mille volumes.

"L'Université Laval a été fondée et soutenue exclusivement par le Séminaire de Québec qui n'a jamais reculé devant aucun sacrifice pour avoir un établissement capable de faire honneur au pays et de répondre aux besoins de la jeunesse. Ce n'est pas exagéré de dire que le Séminaire a consacré à cette œuvre au moins un million de piastres. Chaque année, le Séminaire est encore obligé d'ajouter de dix à douze mille piastres aux revenus de l'Université pour payer le surplus des dépenses sur les revenus, et on ne songe pas à l'intérêt du capital versé que l'on regarde comme capital perdu, au point de vue du revenu.

"Jamais le Séminaire n'aurait pu faire de telles dépenses s'il eut été obligé de payer les prêtres chargés de l'enseignement; ils se contentent de dix piastres par mois qui servent à leur entretien. Le Recteur, qui est en même temps Supérieur du Séminaire, n'est pas mieux traité que ses confrères.

"Il y a maintenant chaque année dans les quatre facultés de l'Université à Québec environ deux cent cinquante élèves. Les élèves qui suivent le cours classique dans les dix-sept collèges affiliés à l'Université, se présentent à la fin de leur cours, aux examens du baccalauréat ès lettres et deux cents celui du baccalauréat ès sciences.

"Depuis quelques années l'Université Laval a établi dans la ville de Montréal une succursale qui a un grand nombre d'élèves et qui est très florissante."

D'autre part le secrétaire de la succursale de Montréal me fournit les notes qui suivent:—

"Les facultés de l'Université Laval à Montréal sont comme un dédoublement de celles de Québec. On trouvera dans le document, No. 1, ci-annexé, des renseignements complets sur leur existence légale, leur constitution, leurs relations juridiques avec les autorités universitaires de Québec, et avec l'épiscopat catholique de la province ecclésiastique de Montréal.

"Les facultés proprement dites sont au nombre de quatre: la théologie, le droit, la médecine, et les arts.

"Les écoles agrégées sont au nombre de deux: l'école polytechnique et l'école de médecine comparée et de science vétérinaire.

"Des quatre facultés, il en est deux, celle de théologie et celle des arts, qui échappent, pour des raisons différentes aux soucis de l'administration universitaire.

"La faculté de théologie s'identifie avec le Grand Séminaire de Montréal, qui appartient à la Société du Séminaire de St. Sulpice de cette ville. Les Messieurs de St. Sulpice ont la direction exclusive de cette maison, sous la haute surveillance de l'archevêque catholique de Montréal, et ils en défrayent eux-mêmes toutes les dépenses, au moyen de leurs revenus corporatifs, et du prix de la pension de leurs élèves. L'Université n'a rien à voir à l'administration de cette maison, non plus qu'à la direction de son enseignement. Son role, à cet égard, se borne à accorder ses grades et ses diplômes aux élèves dont les directeurs lui attestent la compétence après l'épreuve d'examens spéciaux.

"La faculté des arts ne donne pas d'enseignement régulier, car l'enseignement supérieur des lettres et des sciences n'existe pas encore dans notre système universitaire. Notre seul enseignement scientifique est celui du génie civil, établi à l'école polytechnique. Cette école, agrégée à la faculté des Arts, reçoit ses diplômes de l'Université. On trouvera sa constitution dans le document No. 1.

"Les professeurs de la faculté des Arts, qui appartiennent presque tous à l'école polytechnique ou à des collèges ecclésiastiques de la province ecclésiastique de Montréal, sont appelés tour à tour à donner au public de Montréal des conférences isolées sur quelque sujet de leur compétence. Ils ne reçoivent pas d'émoluments, et la faculté n'émarge pas au budget universitaire.

"Les deux facultés de droit et de médicine sont les seules, à proprement parler, qui puissent être considérées comme strictement universitaires, car leur enseignement se donne dans la maison et l'administration générale défraye une partie de leurs dépenses. Elles pourvoient elles-mêmes aux honoraires de leurs professeurs et aux frais de leur administration interne. L'administration générale solde seulement les frais occasionnés par leur installation dans son édifice, tels que les assurances, l'éclairage, le chauffage, l'entretien et les réparations.

"L'administration générale en fait autant pour l'école de médecine comparée et de science vétérinaire, qui donne ses cours théorique et de science vétérinaire dans l'édifice universitaire, mais qui a ses cours pratiques et son administration particulière dans un immeuble qui lui appartient.

"Cette école ne reçoit de ses élèves que le prix de leur inscription annuelle, soit $2.00. Elle pourvoit entièrement aux frais de leur instruction, au moyen de bourses dont le chiffre est prélevé sur l'allocation du gouvernement.

"Le budget de l'école polytechnique et son administration sont absolument distinctes de ceux de l'Université, qui ne supporte pas la moindre part de ses dépenses. L'enseignement de cette école se donne dans un édifice spécial, qui n'appartient pas à l'Université.

"Les revenus ordinaires de l'administration générale, des deux facultés de droit et de médecine, et des deux écoles agrégées proviennent de trois sources suivantes: 1°. Le prix des cours payés par les élèves; 2°. Une subvention annuelle accordée par l'épiscopat catholique de la province ecclésiastique de Montréal, qui comprend l'archevêché de cette ville, et les trois évêchés de St. Hyacinthe, de Sherbrooke et de Valleyfield; 3°. Des allocations annuelles du gouvernement civil de la province de Québec.

"On trouvera dans le document, No. 2, le chiffre exact des différentes sommes qui proviennent de ces trois sources de revenus, et qui constituent l'actif de notre budget.

"Si l'on veut, toutefois, se faire une idée précise des resources et de l'état financier de l'institution, pour y

puiser des données sûres en vue de l'organisation analogue, il importe de tenir compte des faits suivants :

"1°. Les allocations du gouvernement de Québec représentent seules un chiffre absolument exact ; car, d'une part, la subvention des évêques dépend en partie des contributions libres des fidèles de leurs diocèses ; et, d'autre part, le nombre des élèves, dans les facultes et les écoles, varie légèrement d'une année à l'autre. De plus, un nombre également variable d'élèves bénéficient, chaque année, d'une remise totale ou partielle sur le prix des cours. Nous donnons donc pour la subvention épiscopale, la moyenne de la somme totale percue en ces trois dernières années, et pour les cours, la somme que devrait rapporter le paiement intégral du prix annuel dû par la moyenne des élèves qui les ont fréquentés durant la même période.

"2°. Les allocations gouvernementales, hors celle de l'école polytechnique, qui est garanti par un statut provincial (voir document No. 1, p. 69, art. 17) et celle de l'administration générale, accordée en 1896, pour une période de sept ans, sont révocables au bon plaisir de la Législature.

"Les évêques, pareillement, ne se sont engagés à payer leur part de subvention annuelle que pour un certain nombre d'années, en autant que le requiert le paiement d'une dette de $100,000, contractée pour la construction de l'édifice universitaire. L'administration prélève sur ses revenus annuels une somme de $6,500.00, dont $5,000 sont employés à payer l'intérêt, et $1,500 à assurer le remboursement du capital, ce qui réduit d'autant ses moyens d'action.

"Il appert de là que nos facultés de Montréal ne jouissent d'aucune 'dotation' proprement dite, puisqu'elles ne possèdent aucune propriété de rapport. Elles n'ont que l'édifice qu'elles occupent et le terrain sur lequel il est construit.

"Quelques legs peu considérable et des dons ou souscriptions occasionnels apportent quelquefois un appoint aux revenus ordinaires que nous venons d'indiquer.

"3°. Il importe aussi d'observer que notre administration locale est privée d'une des sources ordinaires de revenus universitaires par le fait qu'elle n'a pas la disposition des sommes perçues à l'occasion de la collation des grades, ce droit étant réservé au siège principal de l'Université à Québec.

"4°. Le document No. 3 contient le relevé du chiffre moyen des élèves des facultés et des écoles durant les trois dernières années, et du chiffre approximatif de la population catholique de la province ecclésiastique de Montréal, qui contribue aux frais de l'entretien et du développement de l'institution.

"Mais il faut remarquer que nos élèves ne viennent pas tous, bien qu'en majorité, des diocèses de cette province. Un certain nombre sont originaires des provinces voisines de Québec, et d'Ottawa, quelques uns même des diocèses du Haut-Canada, des Provinces maritimes ou des Etats-Unis. Ceci est particulièrement vrai des élèves de la faculté de théologie qui se recrutent dans un grand nombre de diocèses de la République Américaine.

"Avant de clore ces notes, nous prions respectueusement l'honorable secrétaire du gouvernement de Sa Majesté pour les colonies de vouloir bien observer, en vue des emprunts qu'il serait tenté de faire à notre organisation universitaire, que la dualité de nos sièges d'enseignement, celui de Québec et celui de Montréal, produit un mode particulier d'existence et de fonctionnement, qui ne saurait être celui d'un organisme absolument normal.

"Ce fait ne saurait lui être indifférent dans la comparaison qu'il aura à faire entre notre institution et les institutions analogues d'autres pays. (Voir les différentes pièces du document No. 1, et particulièrement la Charte royale, p. 13, comparée à la Constitution apostolique JAM DUDUM, p. 33.)

"Nous osons attirer spécialement son attention, pour l'étude comparative qu'il désirerait faire des diverses maisons catholiques d'enseignement supérieur, sur l'Université catholique d'Amérique à Washington, sur celle de Louvain en Belgique, et sur les facultés catholiques de Lille en France. Nous avons eu l'occasion de visiter personellement ces établissements, et nous croyons qu'on y a réalisé avec succès dans une mesure différente, qui dépendait des circonstances de lieux et de temps, le problème assez délicat des relations entre les facultés et l'Administration financière. L'état des rapports juridiques entre le corps universitaire et l'épiscopat catholique de ces pays y est assez établi sur des bases qui, étant en principe les mêmes que les nôtres, assurent en pratique à la direction épiscopale une prépondérance qui n'existe pas au même degré dans nos facultés de Montréal.

"Si ces indications et ces notes, toutes sommaires qu'elles sont, peuvent être de quelque utilité à l'Honorable Secrétaire des Colonies du Gouvernement de Sa Majesté, nous nous estimerons heureux de lui avoir donné, par ce léger service, un témoignage de la reconnaissance que nous devons à Sa Majesté pour la Charte royale qu'elle a accordée à notre Université et qui a été pour elle la source de sa force initiale et de ses premiers succès.'

Ces deux documents qui parlent d'eux-mêmes répondent, je l'espère, au désir de l'Honorable Secrétaire d'Etat.

J'ai l'honneur de vous transmettre aussi les documents à l'appui des notes ci-dessus.

J'ai, etc.,

BOUCHER DE LA BRUÈRE,
Surintendant.

L'Honourable Secrétaire de la Province,
Québec.

Document No. 2.

Sources des revenus ordinaires de l'Université à Montréal.

I. Subvention annuelle de l'épiscopat,		$8,000.00
II. Allocation du gouvernement, repartie entre		
1°. L'administration générale,	4,000	
2°. La faculté de droit,	2,000	
3°. La faculté de médecine,	2,000	
4°. L'Ecole polytechnique,	10,000	
5°. L'Ecole vétérinaire,	2,000	
		20,000.00
III. Somme provenant du prix payé par les élèves pour leur inscription et leurs cours :		
1°. Dans la faculté de droit (125 élèves ; inscription pour 3 ans, $5.00 ; cours annuels, $50.00	6,458	
2°. Dans la faculté de médecine (180 élèves ; cours annuels, $50.00),	14,760	
3°. A l'école polytechnique (20 élèves ; inscription pour 4 ans, $5.00 ; cours annuels, $50.00),	1,025	
4°. A l'école vétérinaire (10 élèves ; inscription annuelle, $2.00),	20	
		22,263.00
Actif brut,		$50,263.00
A déduire annuellement pour solde de dette,		6,500.00
Actif net,		$43,763.00

Document No. 3.

Nombre moyen des élèves à Montréal, dans les Facultés et les Ecoles affiliées, durant les 3 dernières années (1896—1899.)

Faculté de théologie,	225
Faculté de droit,	125
Faculté de médecine,	180
Ecole polytechnique,	20
Ecole vétérinaire,	10
Nombre total,	560

Chiffre de la population catholique des quatre diocèses de la province ecclésiastique de Montréal.

Montréal,	400,000
St. Hyacinthe,	115,000
Sherbrooke,	60,000
Valleyfield,	57,800
	632,800

ANNEXURE.

LIST OF PAMPHLETS ENCLOSED IN LORD MINTO'S DESPATCH OF THE 19TH FEBRUARY, 1900.

Calendar of the University of Manitoba, 1899-1900.

Report of the Department of Education, Manitoba, for the year ending 31 December, 1897.

Calendar of the University of St. Francis Xavier's College, Antigonish, Nova Scotia, 1899-1900.

The Calendar of the University of Ottawa, Academic Year, 1899-1900.

Statuts et Règlements de l'Université Laval à Montréal.

Université Laval-Facultés de Montréal. Rapport Officiel de l'Année Academique, 1898-1899, lu a la Seance de Rentree, le 11 Octobre 1899, par M. l'abbé G. Bourassa, Secrétaire à Montréal.

Université Laval-Ecole Polytechnique de Montréal Programmes des Travaux Techniques et Questionnaires des Examens Generaux. Année 1896-7.

Université Laval-Ecole Polytechnique de Montréal Conditions d'admission.

Annuaire de l'Université Laval pour l'Année Academique, 1899-1900. No. 43.

Annuaire de l'école Médecine et de Chirurgie de Montréal. Faculté de Médecine de l'Université Laval, à Montréal. 57 me année, 1899-1900.

Faculté de Droit de l'Université Laval à Montréal. Programme de l'enseignement et extrait des Règlements de la Faculté.

Constitutions et Règlements de l'Université Laval.

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Appendix to the First Report of the Commission [Cd. 826]—1901, *referred to in this List as* Vol. I.
" " *Second* " " [Cd. 900]—1902, " " Vol. II.
" " *Third* " " [Cd. 1229]—1902, " " Vol. III.

The Oral as well as the Documentary Evidence taken by the Commission is contained in the above-mentioned *Appendices*. A *List of Witnesses* is printed in the volume containing the *Final Report* of the Commission. *Subject Indexes* to the Oral Evidence are printed in the Volumes containing that Evidence.

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